Killings - 1936

Alabama

Negro Woman Kills White Man

Advertiser

Slayer Tells Officers She Took G. F. Rabren For Burglar Entering Home

1-19-36

G. F. Rabren, carpenter of 804 Mt. Meigs Road, was shot and almost instantly killed last night on the back porch of the house occupied by Matilda Alexander, negro woman, 41 Hill Street, when she apparently mistook him for a burglar.

The woman told police that she first saw Rabren as she stepped from her kitchen to the small back porch of her home.

Montgomery

"He came walking towards the porch," she said, "and as I started in my bedroom through another door he motioned for me to wait. I was alone with my three babies and when I saw a man coming towards the porch I was scared to death. I ran in the bedroom and grabbed my pistol from a sewing machine. I yelled to the man to stay away. But he came on the porch and started in the door after me.

"I don't know what he wanted. I thought maybe he was a burglar. When he kept coming, I pointed the pistol at him and shot through the screen door. He fell on the floor. I told some children next door to run and call the police."

When Detectives Frizzle and Chancellor and Officers Goins and Rutherford arrived, they found Rabren, bleeding profusely from the chest, sprawled upon the porch floor just between the doors leading to the bedroom and kitchen. The negro woman was huddled inside, the three children clinging to her dress.

The officers said Rabren apparently had been drinking and that his clothing was saturated with water and mud. They were puzzled to explain, however, how Rabren happened to find his way into the district occupied almost exclusively by negroes, and several miles from his home.

Police said that members of Rabren's family became anxious early last night when he failed to return home at his usual hour and had been telephoning to the homes of several friends in an effort to learn of his whereabouts.

At 3 p.m. yesterday, it was learned, Rabren called at the office of a well known attorney here for whom he had been doing some carpentry work. At that time, the attorney said, Rabren seemed "entirely normal and sober."

Police took the negro woman to headquarters for further questioning, but she was released later when Coronor M. B. Kirkpatrick said the shooting appeared to be "justifiable homicide." It was planned, however, to probe further into the case today.

Coroner Kirkpatrick said the pistol bullet, of .38 calibre, had pierced the aorta, the large artery which carries blood from the heart to all the body except the lungs. Death, he said, was almost instantaneous.

Surviving Rabren are his widow, three daughters, Mrs. Cecil Portivient, Misses Bertha, and Betty Jean Rabren, one son, Grider Rabren, all of this city; one sister, Mrs. Minnie Stokes, Andalusia; five brothers, L. F., A. A., Emery, Marion, and J. T. Rabren, all of Andalusia. Funeral plans will be announced later by Diffly's Funeral Home.

SIX DEATH SENTENCES UPHELD IN ALABAMA

Advertiser

MONTGOMERY, Ala., Jan. 30.—(AP)—The Alabama supreme court today affirmed death sentences of two white men and four negroes and set their date of execution for March 27.

The two white men were Dick Hull, convicted in Montgomery circuit court of attacking a nine-year-old girl, and Wesley Vincent, convicted with Richard F. Darrafou of killing Patrolman F. J. Harris in the holdup of a Birmingham night club at the President's ball a year ago today.

Wilcox Deputy Dies Of Wound

Advertiser 1-31-36

Tom Jones Succumbs To Bullet Fired By Negro, Also Slain In Battle

Montgomery Ala.

SELMA, ALA., Jan. 30.—(AP)—The toll in Camden's prison gun battle mounted to two tonight with the death of Deputy Sheriff Tom Jones, of Wilcox County, who succumbed to a pistol wound just below his heart, at a Selma hospital.

Tet McCaskill, negro prisoner who shot the deputy, was killed in the Camden jail, 53 miles from here, by Sheriff F. R. Albritton yesterday afternoon.

Buster Lyles, negro jailer, was in a Selma hospital tonight with an even chance to recover despite four bullet wounds in his body, received when he was shot down by McCaskill.

Sheriff Albritton said the gun fight started as Deputy Jones and the negro jailer, Lyles, started to search McCaskill before placing him in a cell at the Wilcox County jail at Camden.

McCaskill, he said, grabbed a gun out of his shirt and shot down the negro jailer and wounded the deputy. His gun empty, the negro seized a gun from the wounded deputy and was preparing to renew the battle when the sheriff opened fire with a shotgun and killed him.

The body of Deputy Jones will be sent by motor hearse to Camden Friday morning, and funeral will be held from the Associate Reformed Presbyterian Church at 3 p.m., with the Rev. R. C. Kennedy officiating. Burial will be in the Camden Cemetery. Brislin Brothers in charge.

NEW TRIAL GRANTED IN 'PROXY' ASSAULT

Negro Who Shot Woman Insists Husband Instigated The Crime

Advertiser 10-13-36

A new trial was granted yesterday by the Alabama Court of Appeals in one of the oddest cases of its kind that has come before that tribunal for review in recent years. The case is that of Frank Slayton, convicted in Jefferson County of assault with intent to murder in connection with the shooting and wounding of his wife by John Percy Bragg, negro, formerly employed by the couple.

The near-tragedy occurred on a calm, still, moonless night. Mr. and Mrs. Slayton had retired. There was no light in their bedroom or nearby. As they lay in bed, the negro made his way into the house, a two-story dwelling, by a screen door in the rear, proceeded to the second floor, entered the pitch-dark bedroom and fired two shots from a pistol. One of the bullets struck Mrs. Slayton in the breast, the other inflicting a wound in her head near an eye. She screamed and sprang across her husband's body, out of the bed, as he also jumped to the floor, both giving the alarm. Within a few minutes the entire neighborhood was aroused and persons residing nearby rushed into the house to render what aid they could.

The negro, Bragg, fled, and made his escape, but was later arrested. Following his arrest, he first told a police officer that he did not intend to shoot Mrs. Slayton, but went to the house to kill Mr. Slayton because he hated him. Afterward, he made another statement, claiming Slayton instigated the crime to get rid of his wife because she had been "giving me the devil about running around." He claimed further that Slayton threatened him if he didn't "bump his wife off," promising that if and when he did he would take him out of Birmingham and to New Mexico as his chauffeur. He charged that Slayton fixed the time of the attack, telling him he would be laying on the left side of the bed with one foot out from under the covers; also that Slayton had paid him in advance, a total of $58. All of the accusations were denied by Slayton who, following his conviction, appealed.

Reviewing and summarizing the testimony, the Court of Appeals, in opinion by Judge W. H. Samford, points out in reversing the trial court's judgment and remanding the case, that under the law, in a felony case a conviction cannot be had on the uncorroborated testimony of a confessed or acknowledged accomplice, and holds that the testimony introduced in this case to corroborate that of Bragg, was not sufficient to support Slayton's conviction.

Monroe Negro Is Held In Slaying

MONROEVILLE, ALA., March 27.—(Special)—Frank Smith, negro wanted for the slaying of Clifton McNeil, 24, son of a prominent Monroe County planter in the Old Texas community, was captured this afternoon near Georgiana after an all-night hunt led by Sheriff J. P. Farish. The negro was rushed to a Mobile jail for safekeeping and it was reported that feeling was running high in the vicinity of the slaying.

The negro, surrounded in the woods near Georgiana, dropped his gun and gave up to Sheriff Farish and the posse without a struggle, officers said.

The slaying took place Thursday about 1 p.m. at the home of Marvin Owens, brother-in-law of the slain man, in an isolated section of northeast Monroe County. The Smith negro, who worked on the Owens place, went to the house and shot at a negro woman, wounding her seriously, it was reported. Then he shot McNeil and fired at Owens, officers said.

Sheriff Farish brought dogs from Atmore prison farm and trailed the negro about five miles, but lost the trail in a forest fire, believed to have been started by the negro. The posse searched all night and picked up the trail today, catching the negro 15 miles from the scene of the alleged crime.

The slain man was the son of J. T. McNeil, widely known farmer of the Old Texas community.

Negro Expiates Slaying In Chair

Advertiser

Montgomery, Ala.

Henry Peterson, Montgomery County negro, died early this morning in the electric chair at Kilby Prison, for having decapitated Rosa Knox, his common-law wife, with a razor.

His appeal for a commutation was heard recently by the State Pardon Board, which recommended against it. Gov. Graves yesterday rejected the plea, though at the same time he granted three-week reprieves to three other negroes sentenced to die with Peterson this morning.

Peterson was brought into the death chamber at 12:10 a.m. today and strapped in the chair at 12:14. The first shock was administered at 12:16, the second at 12:18, and he was pronounced dead at 12:20.

When asked by Warden Frank Boswell if he wished to make a last statement, Peterson singled out Police Capt. B. F. Young, who was a witness, and thanked him for previous favors. He also spoke to a newspaper reporter in the crowd, whom he said he knew.

After thanking the Warden for kindnesses shown him by prison officials, Peterson turned to the witnesses and said: "White people, I'm on the last go-round. Farewell and bye-bye."

Monroe County Negro Is Indicted In Slaying

Advertiser

MONROEVILLE, ALA., April 3.—(AP)—Frank Smith, alias Tom Perkins, 23-year-old negro, faced today an indictment charging first degree murder in the fatal shooting of Tom McNeil, member of a prominent Monroe County family.

Judge F. W. Hare called a special session of the Monroe County Grand Jury to consider the case.

The jury also returned an indictment charging Smith with attempt to murder for the wounding of a negro servant McNeil attempted to defend when he was fatally wounded.

Negro Prisoner Is Killed In Attack On Policeman

Advertiser

BIRMINGHAM, ALA., April 1.—(AP)—A negro prisoner was shot and killed instantly in the Birmingham City Hall today as, authorities reported, he attacked a policeman.

Officer A. J. Coggins said he fired two shots after the negro knocked him to his knees.

Coggins and another officer had arrested the prisoner in answer to a police radio call to a drug store where the negro was reported to have created a disturbance.

Police said they identified the negro as Will Howze, driver for a sandwich shop.

Negro Must Die For Monroe Crime

Advertiser

MONROEVILLE, ALA., April 7.—(Special)—Tom Perkins, alias Frank Smith, 29-year-old negro, was convicted of first degree murder by a Monroe County Circuit Court jury this afternoon and sentenced to die for the murder of Clifton McNeil, 24, son of a prominent planter in the Old Texas Community on March 26. Judge F. W. Hare set the date of execution for May 8.

The negro was captured by a posse near Georgiana several hours after the shooting. Testimony revealed that he shot young McNeil when the white man

tried to keep the negro from assaulting a negro woman at the home of Marvin Owens. The negro woman was shot but recovered.

The negro was indicted at a special session of the grand jury last week. The trial opened here this morning and by 2 p.m. the testimony and arguments were completed. The jury was out 45 minutes. Solicitor R. L. Jones prosecuted the case and J. D. Ratcliff, appointed by the court, defended the negro.

NEGRO IS ARRESTED IN SLAYING

White Man Is Killed By Bullet Fired From Moving Auto

WIFE AND MOTHER WITNESS SHOOTING

Brick Thrown At Auto, Deputies Are Told By Prisoner

Eddie Williams, 21-y e a r-old Negro, confessed Sunday, deputies said, to the fatal shooting Saturday night of a white man, Gene Turner, 25, in front of his home in Cardiff.

Williams, according to the deputies, said in his confession that he fired twice through the flap of the coupe in which he was riding with his wife and three other Negroes, after the white man hurled a brick at the back of the automobile.

Deputies said Turner was instantly killed when a bullet struck him in the back of the neck.

Shooting Described

Turner's wife and mother, who saw the fatal shooting as they stood at the door of their home, said Turner was shot as he approached a car traveling along at a slow pace in front of their home. Deputies Sam Arnett, H. C. Peveler and Troy Tate said they were told by Turner's wife and mother that Turner was shot as he approached the car as if to get in.

In his confession, deputies said, the Negro said as he and the other passengers in the car were riding along, a white man shouted at them and told them to stop. When the car kept on going, the deputies quoted Williams as saying the white man threw a brick.

Williams then picked up a .32-.20 pistol, lying on the seat, deputies said he told them, and fired two shots through the rear flap.

Deputies DeWitt Truss and Troy Tate Sunday found beneath the roof of a tree near the residence of the Negro's mother-in-law a pistol with which, they said, the Negro had shot Turner.

The Negro first told them he had thrown the pistol in a creek, but said later if they went to the home of his mother-in-law she would show them where he had hidden the gun, the deputies said. At the woman's home she pointed out the spot where they would be able to find the pistol, the deputies reported.

Arrested At Home

Williams was arrested at his home in Cardiff Sunday morning by Constable S. R. Howton, of Brookside. He was brought to the County Jail by Sheriff's Deputies J. L. Boggan, Troy Tate and DeWitt Truss.

At the County Jail, where he was questioned by Assistant Solicitor R. E. McAdory and Deputies Tate and Boggan, Williams first denied the shooting, the questioners said. Later, after being confronted by the other passengers in the car, who said Williams did the shooting, the deputies said, Williams confessed.

The other Negro passengers in the car who said Williams did the shooting, the deputies said, were Jesse Davis, driver of the car; Emanuel Grimes and Perry Dorsey.

The deputies said Williams' wife, who was sitting next to him in the car, said there were two shots fired from the car, but denied her husband did the shooting.

Negro Admits Slaying Of Birmingham White Man

BIRMINGHAM, ALA., April 12—(AP)—A 21-year-old negro confessed today, county officers said, that he shot and killed a white man last night after the man had thrown a rock at an automobile in which the negro was riding.

Gene Turner, 25, was instantly killed last night when a bullet struck him in the back of the neck as he stood near his home in suburban Cardiff. The shooting, officers said, was witnessed by Turner's mother and his wife.

Eddie Williams, negro, was arrested at his home early today and R. E. McAdory, assistant solicitor, said he confessed several hours later that he shot Turner. No formal charges had been filed against him tonight pending a more complete investigation.

Williams was quoted by McAdory as saying he fired a pistol from the automobile in which he was riding after a white man had thrown a rock at the back of the car.

Montgomery, Ala., Advertiser
April 21, 1936

Scottsboro Case Echo In Mobile

Negro Slayers, Convicted There, Get Retrial On 'Race Exclusion' Plea

New trials were granted by the Alabama Supreme Court yesterday to Frank Millhouse and R. P. Vaughn alias Albright, Mobile negroes, convicted of the hold-up murder of Neil T. Sanne, white storekeeper, and sentenced to death, because of error by the trial court in not admitting testimony bearing on the same contention made in each of these cases that was raised in the case of Clarence Norris, one of the "Scottsboro Case" defendants, and later was sustained by the U. S. Supreme Court, that the defendant was deprived of his constitutional rights because of the systematic exclusion of negroes from the jury rolls in the county in which he was indicted.

Vaughn and Millhouse were found guilty of the murder of Mr. Sanne who was shot and killed in his grocery store in Mobile during the robbery of the establishment by two negro men. Mrs. Sanne who was also in the store at the time of the hold-up, was also shot twice and seriously wounded, but ultimately recovered. She positively identified both Millhouse and Vaughn as the perpetrators of the robbery and killing. Following their conviction and sentence, the two men appealed.

Reversal and remanding of the cases yesterday, was by a majority of the Supreme Court, composed of Chief Justice John C. Anderson and Justices Lucien D Gardner, Virgil Bouldin and Joel Brown. Justices William H. Thomas, A B. Foster and Thomas E. Knight, dissented.

In the majority opinion, written by Justice Bouldin in the case of Millhouse, all rulings in which also applied to and controlled the decision in that of Vaughn—it was recalled that during the trial, motion was made to quash the indictment on the ground that the defendant is of the negro race and in the selection of the grand jury which found the indictment, members of his race were systematically excluded because of race. "That the motion presented good ground to quash the indictment is unquestioned," the opinion states. It is then set out that on hearing of this motion, the defendant introduced census records showing the white male population of Mobile County to be 37,951, and the negro male population to be 19,659.

The main witness offered by the defense on hearing of the motion to quash, it is thereafter cited, was H. Austill Pharr a member of the jury commission of the county. Rulings of the trial court sustaining objections of the State to questions propounded to this witness presented the principal question for review submitted to the Supreme Court on appeal.

Questions Upheld

Regarding these rulings, the majority opinion says: "While the several questions may have been more aptly framed we are of the opinion that the general tenor of the examination was permissible. True, of course, the aim was to show whether the names of negroes were systematically excluded from the jury box from which this grand jury was drawn. The questions called for the following: Was it a fact that during the entire time, some four years, of this witness's service negroes had been systematically excluded because of race? Had any additional names been put in the box prior to the drawing of this grand jury? If so, were they not a few selected as colorable compliance with the law in anticipation of this case? Were there not less than 10 negroes so selected?

"Whether any negro was on the grand jury drawn is not sufficient to prove such motion, but it was a proper circumstance to be considered along with other evidence. The trial court was in error in the rejection of the proposed evidence.

"We would impress upon the trial courts and jury commissioners the importance of full compliance with the jury laws, that the rights of all accused under the Federal Constitution, as construed by the Supreme Court of the United States, shall be fully conserved." Particular attention is called in this connection, to the fact that the act of the Legislature approved Aug. 27, 1935, was designed "to give circuit judges more clearly defined power and discretion in having jury boxes refilled, when found necessary or expedient in the administration of justice."

Minority Opinion

In the opinion of the minority, written by Justice Foster, it is held that the question on the motion was whether the jury roll and box out of which the grand jury was drawn was made pursuant to the rule declared by the U. S. Supreme Court in the Norris case. "What had been done prior to the making of that roll is immaterial if it was properly made up," it is stated. "If negroes were not excluded from it, there could arise no question as to the cause of this exclusion. We assume the jury roll was available, since the contrary does not appear. Defendant could have examined it and questioned Mr. Pharr, or any other person as to whether there was on it a representative number of negroes. This was not done nor offered to be done. No one testified that there was not placed on the jury roll the names of negroes in material number. The affidavits offered showed that there were negroes in the county who were qualified, but there was no offer to show that their names were not on the roll."

Recalling that after the decision of the U. S. Supreme Court in the Norris case, the Governor of Alabama, in an open letter, suggested that the courts and the jury commissions comply with it, the opinion declares that "the courts had the legal right to order a new jury roll, and the box refilled, when it had been illegally done." It is then added that if in Mobile County, the jury commission had in the past violated the law and the roll had not been properly made up, "the court could and should have corrected the wrong. The burden was on defendant in respect to the roll here in question. There was no offer to show when it was made up or that negroes were left off who were qualified jurors."

Finally, in its concluding paragraph, the dissenting opinion says, "I am sure that we all accept in good spirit" the rule declared in the Norris case, "and seek to observe it. But we should not yet ourselves be led into a change of the rules pertaining to the pertiency of evidence in fear of being charged with a failure to observe it."

MACHINE GUN DEATH TRIAL IS NEAR JURY

Powderly Man Is Charged With Slaying Negro

BESSEMER, Oct. 27.—(Special.)—The case of Howard Hawkins, charged with murder for the machine gun slaying of Foster Lee, Negro, last December, was expected to reach a Circuit Court jury here today.

Hawkins, who lives near Powderly, has attempted to convince the jury through defense witnesses that he was at home when the Negro was cut down by machine gun bullets on the road near the Hercules Powder Co., Dec. 19.

The state, which has rested its case against the 26-year-old defendant, has presented evidence that the Negro and Hawkins had been engaged in the whisky business, though not together.

A second white man, Leon Hancock, is now serving sentence of 10 years imprisonment for Lee's death. He pleaded guilty.

Killings - 1936

Alabama

NEGRO CLAIMS MOB FORCED TESTIMONY

By United Press.

MONTGOMERY, July 29. — A state investigator today checked a statement by Grant Currington, Negro, that a Pickens County mob forced him to testify falsely against Lee Summerville, Negro, condemned to die for the slaying of Deputy Sheriff B. C. Johnson, of Pickens County.

Currington and his brother, Clarence, were chief state witnesses at the trial, stating that Summerville had confessed the murder to them. Yesterday they told Governor Graves, in clemency hearing for the condemned Negro, that a "mob of 100 men" had forced them to make the statements on the witness stand under a threat of death.

Negro Dead In Anniston Affray

Brother Of PatHicks, Slain Aug. 10, JailedForDeath Of Youth In Rural Area

ANNISTON, ALA., Aug. 24. — (AP) — In an aftermath of racial conflict, a negro was dead today and a white man was jailed on a murder accusation.

Shotgun pellets felled a young negro identified by officers as Woodrow Allen Bush, adopted son of Art Bush, the latter now held in Birmingham accused of firing the shot that killed Pat Hicks, a posseman, at Bush's home the night of Aug. 10.

Ozie Hicks, brother of Pat Hicks, was placed in jail, charged with killing young Bush.

The slaying in a rural area last night was one of a long series of violent incidents in high-pitched racial feeling which first flared in July when a negro attacked a white woman.

State troops were called to Calhoun County five times within a month as a precaution after officials expressed fear of racial clashes. Armed white men on several occasions have roamed the rural areas in search of negroes they accused of offenses against white women and other crimes. Negroes once were stoned in the streets of Anniston.

Pat Hicks was wounded fatally and another brother, J. A. Hicks, and Forney Martin, were shot Aug. 10 as they approached Bush's house during a wide search by possemen for a negro reported to have attempted to kidnap a white baby.

Chief Deputy Sheriff Norman L. Summers said today he did not anticipate any serious repercussions from the slaying of young Hicks.

Sheriff P. W. Cotton said Ozie Hicks admitted the killing, contending that he shot the negro as he became convinced he was being led into a trap.

Hicks was quoted by the sheriff as saying he and young Bush left Art Bush's house, where Woodrow lived, last night to hunt a negro Hicks believed at the Bush cabin the night Hicks's two brothers and Martin were felled. Returning to the Bush cabin, Hicks heard Bush say "let him have it," Cotton quoted Hicks.

The white man therefore, the sheriff said he was told, fired one charge from a shotgun, striking Bush in the side and killing him instantly.

Meanwhile, at Kilby Prison, Montgomery, Roosevelt Collins, negro condemned for the attack of a rural white woman which set off the racial strife in Calhoun County, announced he would appeal his death sentence. He was tried in a courthouse guarded by State troops and condemned to die Sept. 4.

Chief Deputy Norman L. Summers of Calhoun has announced an investigation was underway to determine whether newspapers printed in the North containing inflammatory articles, being distributed among negroes, were responsible for the racial difficulties.

Squirrel Hunter Shot To Death With Son's Gun

MONROEVILLE, ALA., Sept. 30.—(Special)—Mystery shrouds the fatal shooting near Mexia last night of Lit Ward, about 41.

Ward left his home near Mexia yesterday afternoon to hunt squirrels with his 13-year-old son, Fred. Each had a gun. Returning from their hunt at dusk, they stopped in a field for some peanuts.

Ward was shot to death with his son's gun.

Young Fred Ward told Sheriff Farish that a strange negro slipped upon them, snatched his gun, and killed his father. He ran, he told the sheriff.

Bloodhounds were taken to the scene. They were unable to pick up a scent other than that of the father and son.

The boy, whom the sheriff stated was naturally terrified, insisted today upon charging the killing to a strange negro.

Ward is survived by his widow, a daughter, Verna May, and another son, Lowell.

Funeral was held this afternoon from the Shiloh Baptist Church, the Rev. A. J. Shell officiating. Burial was in the church cemetery.

NEGRO FOUND GUILTY IN CARDIFF SLAYING

A jury in Circuit Judge Robert J. Wheeler's court today found Eddie Williams, 21-year-old Negro, guilty of second degree murder for the fatal shooting of Eugene Turner, white miner, near Cardiff last April and fixed his punishment at 25 years imprisonment.

NEGRO PLEADS NOT GUILTY IN SLAYING

Suspect Held Here In Death Of Anniston Posseman

Art Bush, Negro, was back in his cell in Jefferson County Jail today after pleading not guilty at Anniston yesterday to a charge of first degree murder for the fatal shooting of Pat Hicks, posseman, the night of Aug. 10.

Bush pleaded not guilty at his arraignment before Circuit Judge Lamar Field. He is being held in County Jail here for safekeeping.

Hicks was shot while he and other white men sought a Negro for attempting to kidnap the infant son of Mrs. U. L. Williams, Calhoun County farm wife.

He Killed a White Man

Art Bush, Negro, is in jail at Birmingham for safekeeping. He will probably at some later date be tried for murder and sent to the penitentiary for electrocution. This poor tenant farmer will lose his life in order that the millions of Negroes who live in the South may know that when a gang of white hoodlums come to their door at midnight, they must accept peacfully whatever hell and fury the mob brings.

It is almost unbelievable that in certain sections of the United States constitutional guarantees would at times become such a nullity. Bush, an honest tenant farmer, was at home with his family. He has a wife and six children. Earlier in the night he permitted an unauthorized mob to search his home, but later in the night along comes another gang of drunk hoodlums, who shoot through the door and then attempt to kick it in. Bush, coming out of the back way, shot and shot to kill. He wounded three of his midnight visitors, three of whom were white men he had previously considered his friends. Two of them are expected to die.

The thing we are interested in is the fact that no one down in Alabama now is concerned in the cause of this trouble as it relates to Bush. All of the governing agencies seem to be dominated with the thought that Bush killed a white man and from this point the whole procedure surrounds the idea of waiting a few days to try him for murder. We suppose the troops will be called out and stand around the jail while some of the members of that same mob that broke into his home will sit on the jury to try Bush.

In this farcial trial no attempt will be made to show that the white mob, which came to the Bush home, violated one of the fundamental guarantees of the Federal Constitution. The search and seizure clauses of that document provide means by which entry can be made to the residences of citizens and Art Bush, even thought he is black and lives in Alabama, had a right to shoot and kill anybody who, without color of law and authority sought forcible entry.

Think of it. This poor tenant farmer, who is guilty of nothing more than the fact that he happened to live in the community where a black man is alleged to have been guilty of attempting to kidnap a white baby, must suffer death. He does not even fit the description of the "tall" Negro whom the white mother alleges was holding her two-months-old baby in his arms when she appeared in the bedroom of her home. Bush must die not because he is a criminal but because circumstance makes him the cruel victim of an unwritten law which says there is no excuse, justification or reason why a black man should kill a white man.

There are thousands of such unfortunate cases that occur all over the Southland. These vicious attempts to destroy innocent men and women form the basis for the existence of the N. A. A. C. P., which seeks to guard the constitutional rights of black men. Bush, the innocent man, will be tried. He will probably lose his life; but the

mob; the mob that broke into his home, will never be brought to the bar of justice, charged with violating the search and seizure clauses of the Federal Constitution.

Anniston Jury Frees Negro Suspect In Death Of White Calhoun Posseman

ANNISTON, ALA., Oct. 7.—(AP)—Art Bush, negro charged with the slaying of Pat Hicks, white posseman who came to the Bush cabin Aug. 10 during a search for a negro alleged to have attempted to kidnap a white child, was acquitted late today by a jury in Circuit Court.

The jury was out less than an hour before reaching a verdict.

Bush was tried for first degree murder, a capital crime, on an indictment returned by a grand jury here last week.

There was no demonstration as Bush walked from the courtroom, a free man.

National Guardsmen were called to the Anniston area following the slaying of Hicks and the wounding of two other possemen at Bush's cabin. Bush was rushed to Birmingham for safekeeping following his surrender.

Troops were not called upon for Bush's trial, however, and court attaches said there was no indication of racial tension.

James L. Carter and Rankin Daughette, appointed by Judge Lamar Field to defend Bush, made a major defense point on cross examination fo State witnesses, who said they could not testify that Bush was the man who fired the shot which struck Hicks.

Forney Martin, Charlie Hughes and J. A. Hicks, a brother of the slain man described the battle at the Bush home on Aug. 10. Martin and J. A. Hicks were wounded in the exchange of shots. Bush, as the principal defense witness, said he fired after possemen started shooting.

The Hicks slaying followed by less than a month the arrest of a negro for attacking a white woman near Anniston. Racial feeling ran high in ruarl Calhoun County, as State troops were called out four times in less than a month.

The Bush trial, however, did not attract more than normal interest today.

Judge Field thanked the jury before dismissing them tonight.

Murder Trial At Geneva Closing

GENEVA, ALA., Oct. 13.—(Special)—The trial of Pete Brooks and Booker T. Washington, negroes charged with the murder of an elderly couple at Oak Grove a year ago, neared the end tonight as Judge Robert S. Reid ordered a night session to complete defense testimony. Final arguments and the charge will be given Wednesday morning, with possibility the jury will get the case by noon, it was indicated.

Denying alleged confessions admitted as evidence, both negroes took the stand today and declared they were at home on the night in September, 1935, when Mr. and Mrs. William Grantham were beaten to death in their combination store-home. This morning Washington contended the confession was obtained under duress, while tonight Brooks voiced the same charge.

Another defense witness, Sam Utsie, negro, testified that he was at the home of Washington and Brooks, who live in the same house, on the night in question, as did wives of the two defendants. Subsequent questioning of Utsie by Special Prosecutor E. C. Boswell, brought information that on the afternoon preceding the slaying Utsie accompanied one of the defendants to the Grantham store to obtain change for a bill. The witness said Grantham did not have the change, but displayed a large roll of bills.

The State contends robbery was the motive in the double murder. The slayers overlooked over $1,000 in a can hidden beneath the bed after killing the Granthams.

The case opened Monday with a large number of witnesses called by defense and prosecution.

Negroes Get Death In Geneva Murder

GENEVA, ALA., Oct. 14.—(AP)—Death was the verdict here tonight for two negroes on trial for the murder of Mr. and Mrs. William Grantham, aged couple who kept a store at Oak Grove, Ala., and who were found clubbed to death in September, 1935.

The negroes, convicted after four hours' deliberation of the trial jury, are Booker T. Washington and Pete Brooks. The jury found both guilty as charged, which makes the death sentence mandatory in this State.

A third negro, Harrison Brooks, will go on trial tomorrow. Brooks is held as an accomplice.

About 12 witnesses were called by the State in today's trial and the defense had subpoenaed a score. The State based its case largely on confessions by both defendants, each of which was later repudiated. Both claimed their confessions were obtained under duress.

Mr. and Mrs. Grantham, living in a modest one-room home in the rear of their store, were found clubbed to death. Officers found more than $1,200 in cash concealed by them in a can beside their bed.

Three Negroes Indicted In Grantham Slaying

GENEVA, ALA., Oct. 2.—(Special)—The Geneva County Grand Jury in session here this week indicted late Wednesday the three negroes, Booker T. Washington, Harrison Brooks and Pete Brooks, who were arrested in July for the murder of Mr. and Mrs. William R. Grantham in September, 1935.

Following their arrest, the negroes were carried to Kilby Prison for safekeeping by Sheriff W. C. Register. They will be returned to Geneva during the week of Oct. 12 and arraigned for trial.

Mr. and Mrs. Grantham, an elderly couple were found murdered in their home near the filling station which they operated on the Geneva-Hartford Highway, and a number of arrests followed. Sufficient evidence could not be found and the suspects were released. The crime remained a mystery until the arrest of the three negroes a few months ago. All three are said to have confessed to taking part in the murder of the couple.

Negroes On Trial In Double Murder

GENEVA, ALA., Oct. 12.—(Special)—The trial of Pete Brooks and Booker T. Washington, negroes, for first degree murder in connection with the death of Mr. and Mrs. William R. Grantham in September, 1935, began today in Geneva Circuit Court. A jury composed mostly of farmers was drawn from a special venire of 52 names.

Two doctors who examined the bodies of the elderly couple found beaten to death in their home at Oak Grove, eight miles from Geneva, testified first in the array of State and defense witnesses. It was indicated testimony would be completed about noon Tuesday.

A third negro, Harrison Brooks, brother-in-law of Pete Brooks, will go on trial in the same case Wednesday.

Capt. Potter Smith, of the State Highway Patrol, with Special Investigators J. W. McClung and John Linch are cooperating with local authorities in the prosecution. Attorneys for the defense are R. S. Qard, of Hartford, and G. W. Ward and T. G. Tiller, of Geneva. E. C. Russell is special prosecutor for State.

TWO NEGROES DIE AS GUNS BLAZE IN CITY

Three Others Are Wounded In Week-End Shootings

Two Negroes were killed and three others wounded as guns blazed a trail of blood in Birmingham during the week-end.

Wade Nelson was killed in an argument over a 10-cent drink of liquor. Police will charge Robert Taylor, another Negro, with murder as soon as they find him. The shooting occurred in the rear of 2206 28th-st, n.

Gilbert Lewis, six, was slain in East Irondale by Alfonzo Grace, Negro, when a bullet he fired at another Negro during an argument went wild. Grace is in jail, charged with murder.

Will Haygood, driver of an ice wagon, was shot by an unidentified white man in an argument over parking space on the 2900 block of Highland-av. Haygood was shot while trying to flee. He is expected to recover.

George McMiller was seriously wounded by Georgia Meadows, who was trying to see if "a gun would go off." Detectives put the woman in jail.

Isaac Drones was severely wounded by a bullet which Robert Bivings fired at another Negro. Bivings is in jail.

Negro Cropper Slays Landlord, Wounds Deputy

J. J. Davis Shot To Death Near His Shorter Farm; Posseman Kills Slayer

Black Dies Hard

Trailed To Hideout, He Shoots John Daniels, Macon Officer, In Chest

Jerry Chappell, negro sharecropper, shot his white landlord, James J. Davis, to death near the latter's farm home in Shorter early yesterday afternoon, and before possemen ended his life with a load of buckshot, the negro dangerously wounded Deputy Sheriff John Daniels, of Macon County.

Between 1 and 2 p.m., the negro's wife ran into the Davis home to tell Mrs. Davis, "Jerry and Mr. Davis are fighting down there by the road."

Mrs. Davis immediately went to investigate. She found her husband dead in his automobile, parked a short distance from the house. He had two pistol wounds, one under his right arm, one through his neck. The negro had fled.

The office of Sheriff W. C. Daniels at Tuskegee was notified. A posse of nearly 40 citizens collected, and bloodhounds were brought from No. 4 prison.

Found By Posse

Someone who knew the negro's habits told a member of the posse that he was hiding in the home of a negro woman, three miles from the spot where he shot Mr. Davis.

Four possemen including Deputy Sheriff Daniels went to the hiding place and the deputy walked to the front door and called for Chappell to come out. Chappell came out shooting the same pistol he had used to kill his landlord. One bullet entered the deputy sheriff's chest, passing near the heart.

Meanwhile another member of the posse entered the house from the rear and while the negro was blasting away with his pistol, shot the fugitive in the back. Another load of buckshot and the sharecropper was dead.

Deputy In Hospital

Deputy Sheriff Daniels was brought to St. Margaret's Hospital for surgical attention. Late last night his condition was described by hospital attendants as grave.

No one at Shorter knew what Chappell and his landlord argued over. Mr. Davis was dead when his wife arrived and Dr. B. W. Booth, of Shorter, who made an examination shortly thereafter, ventured the opinion that death was instantaneous.

Mr. Davis moved to Shorter a short time ago from Montgomery where he operated a filling station. He lived on his farm to the south of the Atlanta Highway, situated on a road turning off at Henderson's store.

Killings-1936

Alabama.

Deputy Exonerated In Death Of Alabama Negro

SELMA, ALA., Nov. 9.—(Special)—Returning a verdict of self-defense Coroner Andrew D. Brislin reported that Alfred Bell, negro, was shot and killed by Deputy Sheriff B. B. Pegues near Brown Station shortly before noon Monday after the negro slashed the deputy on the right arm.

The negro resisted search of his home by the deputy who was looking for another negro, believed to have been in Bell's house. Pegues was not severely wounded. Bell's wife also tried to aid her husband in obstructing the officer's entrance, and received a slight bullet wound. Bell lived an hour and a half following the shooting.

State Highway Patrol Officer C. T. Donaldson reported to Sheriff Reynolds that he was near the scene when the shooting occurred.

27 Negro Dice Players Are Slain In 21 Months

LINDEN, ALA., Nov. 17.—(Special)—A Sunday night negro dice game at the home of George Nailer, on the Joe Compton plantation at Nanafalia, culminated in a killing when Ben Thomas, 45, was shot through the heart with a pistol. The slayer is expected to surrender to the sheriff's forces within a short time.

Thomas's death brought the death toll from dice game scraps to 27 in the past 21 months in Marengo County. Twenty out of the 27 accused slayers, all of whom are negroes, have been apprehended.

"I Killed 12 Negroes" Boaster in Bad Again

Dent Williams, White Murderer of Willie Peterson, Must Face Flogging Charge

BIRMINGHAM, Nov. 26.—The white slayer of Willie Peterson, who openly boasts of having killed twelve other Negroes, is again in the headlines this week, facing criminal charges in a flogging of a white attorney here. Five years ago, the Peterson case was nationally known, when the tubercular youth, in jail on a doubtful accusation of rape, was shot to death in his cell by Dent Williams, in the presence of the chief of police, deputies, parents and sister of Peterson. Williams walked out of the jail a free man and has not been since called to account for the murder.

This week, Williams again faces criminal charges as one of the mob which attacked Joseph S. Gelder on Setpember 23. Gelder, white, is Alabama secretary of the National Committee for Defense of Political Prisoners and his activities on the behalf of the Scottsboro boys have aroused hostility of reactionary elements in Birmingham. The assault made upon him is the latest development in a series of demonstrations intended to frighten him out of Alabama.

Gelder was found 70 miles outside of Birmingham, where he had been carried by three men, beaten with blackjacks and lashed with a leather strap until he became unconscious.

Before the flogging he was told if he returned to Birmingham he would be "loaded with lead." After the flogging he was left unconscious in a ditch. A rural white physician refused to dress his wounds, and he was carried back to Birmingham in a serious condition.

Floggers Were Legionnaires.

Investigation discovered that the floggers were members of an "Americanism committee" of the local American Legion Post, and at least one of the floggers claims to be an employees of the Tennessee Coal and Iron Company, which is also opposed to Gelder's activities. Dent Williams was positively identified by Gelders as one of the men who kidnaped and flogged him. Rallying to the aid of the National Committee and determined to push the case against Gelders' assailants are labor leaders of Alabama. Many Negro organizations are rallying likewise to aid the commitee.

Gelder was born and reared in Alabama, and was until 1935 an instructor of physics in the University of Alabama. He became interested in the Scottsboro and similar cases and resigned his position at the university in order the fight for civil liberties.

Because he is a native Alabamian and because of his "respectable" background, his cause has aroused intense interest all over the state. The Birmingham News said editorially:

"Alabama, already suffering embarrassment from the Scottsboro case, is now held up before the world as a state where freedom of opinion is denied and liberty is endangered. The Gelder case may well become a national example of political persecution.

"The miserable floggers must know by now that what they have done is held by the great majority of persons in the state as an illegal act aimed at the foundations of American liberty. But over the nation, Alabama shares the guilt which properly belongs only to these three or four persons."

David Kinkead; assistant secretary of the National Committee for the Defense of Political Prisoners, has issued an appeal through the offices of the organization at 156 Fifth avenue for funds to help press these charges against the murderer of Willie Peterson, hoping that long-delayed justice may yet be done.

NEGRO IS CHARGED IN DALE SLAYING

Rural Storekeeper Beaten To Death; Trail Of Blood Leads To Cabin

OZARK, ALA., Nov. 23.—(Special)—William Robinson, 25-year-old negro, was in the Dale County jail tonight formally charged with murder as officers investigated the fatal beating of Olon Parker, 53, whose body was found Sunday morning in his combination store and home on a lonely road between Claybatchee and Bellwood, in the southern part of the county.

Following a trail of blood more than a mile across fields from the dead man's store to a cabin, the Robinson negro was found with a deep gash on his right hand. He denied the slaying.

About 7 a.m. Sunday Don Lee, a customer of Parker's, and two negroes were waiting at the little store for the proprietor to open up. Officers said Parker was known in the section as an eccentric man and one of his hobbies was saving Indian head pennies. He was believed to be well off.

When Parker failed to open, Lee and the negroes went into the store and found Parker's body on the floor, his head beaten unmercifully. Blood was spattered on the floor and walls. A dollar bill was found under his body.

Deputy Sheriff W. H. Connell came to the scene with J. R. Dykes and W. W. Andrews, two citizens. A search of the place revealed a container of Indian head pennies and several hundred dollars worth of postal savings receipts. Kenneth Holman, acting coroner, also present, observed position of the bloodstains and deduced that a left-handed person committed the murder. The man had been dead seven or eight hours and indications of a struggle were noted.

The posse followed the trail of blood across the fields for over a mile until they came to the cabin where Robinson was found, nursing his injured right hand which he said he hurt fixing a window. A $5 bill was found on the negro.

Officers said they later established that the negro was left-handed.

Parker was a slight man of about 120 pounds. He is survived by several brothers and sisters of this section.

Highway Patrol Officers Z. T. Morris and Will Tatom were assigned to assist Sheriff J. W. Helms in the investigation.

SEX ADVANCE

Killed by Birmingham Woman in Home—Talked by Signs

BIRMINGHAM, Dec. 10 (ANP).—Birmingham found itself with a full-fledged mystery this week following the death of an unidentified white man Friday, who was shot in the back and fatally wounded by Mrs. Lenora Nelson, after he had entered her house and tried to attack her.

The mystery, which has thus far baffled police, lies in the dead man's insistence on using sign language exclusively before he succumbed, although he cried out once and could have talked had he desired.

Mrs. Nelson, 24, told detectives the white man entered her home, made motions with his hands like a deaf and dumb person, then suddenly seized her. She broke away, grabbed her gun, and as he ran she fired.

Speaks One Time.

As he fell mortally wounded, he cried out: "Please don't shoot any more."

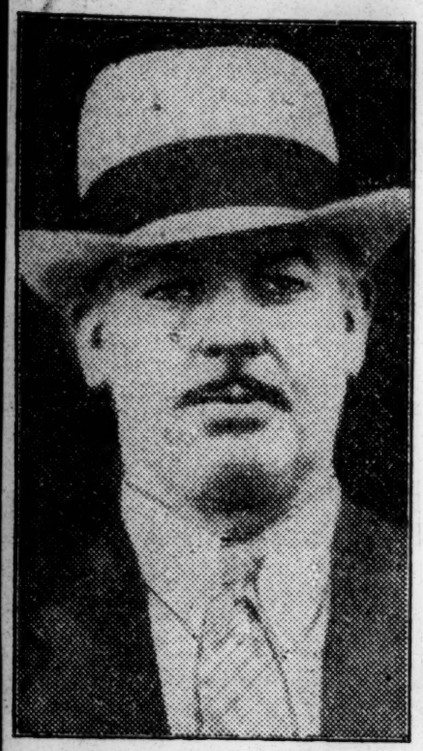
At Hillman Hospital, where he was taken, attaches said he evidently could hear and understood every word said to him, but would not answer. In vain the police urged him to give his version of what happened. Once nurses asked him if he wanted his pillow raised and he nodded his head.

A preacher called on him just before he died, but the wounded man still refused to talk. When he wanted a drink of water he would motion for it with his hands instead of asking for it.

Detectives said that when they find out why he had suddenly ceased talking and began using sign language they may solve his identity. Meanwhile, they have sent his fingerprints to Washington, hoping for an identification.

BULLET ENDS WHITE MAN'S

On Trial For Murder



Brought to trial at Gainesville, Fla., on charges of killing Miss Bonnie Collins, pretty town clerk, and a negro first blamed for the crime, A. L. Burton (above), former police chief at High Springs, Fla., claims he found the negro beating Miss Collins in her office and shot him in an unsuccessful attempt to save her life. (Associated Press Photo)

Birmingham, Ala., Age-Herald
December 5, 1936

COURT DECREES NEGRO MUST DIE

Loses Long Fight In Killing Of Mobile Grocer

Mobile, Ala., Dec. 4.—Circuit Judge Joe M. Pelham today sentenced Frank Millhouse, negro, to die in the electric chair on January 28, for the slaying of Neil T. Sanne, Mobile grocer. The date will be the second anniversary of Sanne's death. The execution date was suspended, however, when Miss Rosa Gerhardt, the negro's attorney, gave notice of appeal to the state supreme court.

It was the second time Millhouse had heard sentence of death pronounced in the case. He and his half-brother, R. P. Vaughn were sentenced to die for Sanne's slaying last year but were granted new trials by the state supreme court. Vaughn faces re-trial on December 8.

Birmingham, Ala., Age-Herald
December 25, 1936

NEGRO QUIZZED IN FARM DEATH

Frank Fikes Questioned About Cars Reported At Vaughan Home

SELMA, Ala., Dec. 24—Identities of midnight callers at the hoe of Grey G. Vaughan, prominent Dallas County farmer, on the night before he was mysteriously slain, were sought Thursday by Dallas County officers as they continued their grilling of a Negro farm hand they believed could supply the missing links in the plantation mystery.

The Negro, Frank Fikes, was questioned at length by Sheriff Sam A. Reynolds and other officers, on the theory that he knew the names of people who visited the farm home of Vaughan Monday night, but was afraid to disclose their identities.

Cars Reported Seen

Officers working on the case Thursday said they had been told by other Negroes on the Vaughan farm that two automobiles were seen drawing up in front of the Vaughan home shortly before midnight Monday and that so far as they were able to ascertain the occupants of those automobiles were the last people to visit Vaughan before his death.

Fikes, caretaker on the plantation, was taken in charge by investigators early Wednesday night and questioned in the Dallas County Jail that night and Thursday, officers disclosed, in an effort to ascertain the names of the persons who called on Vaughn.

The Negro had not disclosed the information sought early Thursday night, officers admitted.

The 62-year-old plantation owner was found dead from a gunshot wound in the head, Wednesday morning by hunters who called at Vaughan home. They discovered his body lying on the floor. A medical examination revealed Vaughan had apparently been dead from 18 to 24 hours.

Investigators said they attached considerable significance to the identities of Vaughan's Monday night callers, asserting that this information apparently offered them their best opportunity for clearing up one of the most baffling crimes this county has had in recent years.

Funeral Services Held

With a large group of prominent Selma and Dallas County relatives and friends in attendance, funeral services were held Thursday for Vaughan in the chapel of a local undertaking establishment.

Sheriff Reynolds said the investigation thus far shows that Vaughan, who lived alone, frequently had callers and the fact that Fikes was in position to know the names of his visitors indicated that if he knew those who visited Vaughan late Monday night he was afraid to disclose their names.

Officers working on the case disclosed Thursday that they had discovered fingerprints on various articles in the room where the body was found and added they hoped to compare these prints with fingerprints of persons who visited the farmhouse Monday night.

In addition, officers said they had found the bullet they believed had caused Vaughan's death, embedded in a wooden joist. This bullet, they said, had been removed and turned over to a ballistics expert who later classified it as a .38 caliber "long" bullet.

Officers said this announcement further complicated the mystery because the gun which was found by Vaughan's body Wednesday was a .38 caliber gun which fired only .38 "short" cartridges.

Little Light Shed

Sheriff Reynolds declared that questioning of Fikes so far has thrown but little light on the tragedy, the officer asserting that "he was so drunk last night I couldn't talk with him and he didn't seem to be straightened out this morning."

Officers disclosed, moreover, they believed they had found the empty shell from which the bullet was believed to have been fired, lying on a settee at the side of the room. This indicated, they said, that Vaughan's assailant did not flee immediately after firing the shot and that a consultation with others may have followed the shooting.

Officers also admitted that their investigation indicated a struggle had taken place in the room where Vaughan's body was found, and that examination of the body showed that the head had been bruised about the left side of the forehead and on the right temple and that the left eye was swollen and bruised.

Admission Reported

The only thing that Fikes has said about the case, Sheriff Reynolds declared Thursday, was that he had last seen Vaughan sitting on the back porch of his Summerfield Road home Monday afternoon, an admission which they said he made only after other Negro tenants had reported seeing the two mysterious automobiles drive up in front of the Vaughan home late Monday night.

Vaughan is survived by a son, Grey G. Vaughan, Jr., of the United States Navy; three brothers, Judge W. M. Vaughan, of Selma; Dr. Paul Turner Vaughan, of Hot Springs, Ark., and Henry A. Vaughan, of Selma, and two sisters, Mrs. W. M. Weaver and Mrs. Frank Cothran, both of Selma.

Killings - 1936

Alabama

Negro, Seeking To Escape Chair, Insists He Killed 'Wrong Person'

Tom Perkins, negro, under sentence to die in the electric chair at Kilby Prison early Friday morning for the murder of Clifton McNeil, young Monroeville white man, was granted a two-week reprieve late yesterday afternoon by Gov. Graves, following a hearing at the Capitol before the Governor and State Board of Pardons. Perkins claimed he was "ordered" to kill Nettie McCorley, negro cook, but when he fired at her the charge from the gun struck McNeil instead, wounding him fatally.

Due to the fact that Atty. Gen. Carmichael was out of the city yesterday, only two of the Pardon Board's three members—Secretary of State Turner and State Auditor McCall—were present at the hearing. The view was expressed by the Governor that the Attorney General should be in attendance and hear all testimony in cases coming before the board in which the extreme penalty is imposed, and stated he was granting the reprieve so this could be done in Perkins's case.

The fatal shooting of Mr. McNeil, young planter, occurred on March 26 at the home of Mr. and Mrs. Marvin Owen, brother-in-law and sister of the slain man. Tried and convicted of the killing, Perkins was sentenced to death. No appeal was taken to the Supreme Court in the case of the negro who did not take the stand in his own behalf during the trial. According to the record, no defense witnesses were called.

In his plea for his life at the hearing yesterday, Perkins charged that McNeil and McNeil's sister, Mrs. Owens "ordered" him to kill the negro cook, Nettie McCorley; that at the time of the shooting he heard the McCorley woman walk out on the back porch of the house to empty some water and he stepped around the corner of the house and fired. Instead of the shot striking the woman, however, he said, it hit McNeil, who was standing between him and the woman. He insisted the shooting of McNeil, who died a few minutes after he staggered into the house, was "accidental."

At the time of the tragedy it was stated that McNeil intervened to prevent Perkins from killing the negro woman and was himself fatally shot. This version of what occurred was denied, however, by defense counsel yesterday. At the trial no motive for the slaying was established by the State.

Officer Uses Bullets As Negro Lifts Knife

To protect himself from a knife wielded by George Brooks, negro, Officer Austin Cummings, whom he was attempting to arrest, Officer Jack Stough late Sunday night shot him three times.

With two other officers, Stough went to Brooks's home to arrest him and Brooks became recalcitrant and whipped out a knife with which he cut at Stough, ripping his coat. Stough put three slugs in his body and arranged for him to be taken to a hospital where he was said to be badly wounded.

Frank Hale, negro, died yesterday of pistol wounds received Sunday night at the hands of Margaret Reed, negro. Shortly after the shooting, which occurred at the intersection of Bainbridge and Pollard Streets, Detective Albert Chancellor arrested the woman who confessed.

BEATING INVESTIGATION ATTACKED BY GADSDEN

City Commission Claims Atlanta Investigator Was Prejudiced.

GADSDEN, Ala., June 19.—(AP)—The Gadsden city commission protested to Washington today what it termed "the prejudiced attitude taken by Investigator Feidelson" in an investigation of a beating S. H. Dalrymple, United Rubber Workers' president, claimed he received here.

Charles N. Feidelson, Atlanta regional director for the National Labor Relations Board, made a personal visit to Gadsden after the incident two weeks ago.

Coincident with the protest, the city commission members conferred today with George Roberts, heading a labor delegation, and Yelverton Cowherd, attorney, over plans for handling a gathering expected for tomorrow's state labor mass meeting, called after Dalrymple reported in Akron, Ohio, he was molested following an organization meeting with Goodyear employes here.

The commission's Feidleson protest was addressed to the National Labor Relations Board, Senators Black and Bankhead, of Alabama, and to Representative Joe Starnes, of this district. It read:

"The city of Gadsden wants to protest and go on record as deploring the prejudiced attitude taken by Investigator Feidelson in making his recent investigation here. He assumed the role of prosecutor, rather than investigator. We request you make full investigation of Feidelson's attitude, which we consider unfair to our city. "(Signed) City Commission of Gadsden—George S. Vann, chairman; J. H. Meighan, R. A. Burns, members."

After the labor meeting was called here, the commission authorized swearing in of 250 special policemen, and passed special ordinances on arrest and picketing.

Supreme Court Dooms Negro To Die Aug. 7

Upholding judgment of the Pickens Circuit Court in the case of Ed Lee Summerville, negro, convicted in 1932 of shooting and wounding fatally, Sheriff Burt Johnson, the Alabama Supreme Court yesterday set Friday, Aug. 7, as the date for Summerville's execution.

The high court also affirmed action of the Lawrence Circuit Court, in convicting Cleveland Deloney of robbing Annie Green of two silver dollars, a pistol, a hat and a flashlight all valued at $25, and sentencing Deloney to imprisonment for life.

Because of error by the Jefferson Circuit Court in ruling out testimony held to be material in connection with the insanity plea of J. D. Rhodes charged with the murder of his step-daughter, Kathleen Flummer, the high court reversed judgment of the trial court finding Rhodes guilty and sentencing him to death—and remanded the case for another trial.

Birmingham, Ala., Age-Herald
July 14, 1936

Cowardly Murder

What a cowardly murder seems to have been that of Paul Hines, Negro T. C. I. employe, who was shot to death early Monday in his little garden plot. He appears to have fled in vain from his assassins. He had been working occasionally at the Ishkooda ore mines, though other employes there have been on strike. His slaying follows a renewed outbreak of gunfire at the Muscoda works where several hundred shots were fired.

It can not be said that this violence is doing nothing. It is doing plenty. It has killed a man and resulted in the wounding of several others. It has stopped regular operations at the mines. But that it will not really advance any good or bad cause for long is beyond question. Certainly the forces of the law and the leadership of the strikers will unite to do everything they can to halt this sniping, to fix responsibility for these crimes.

There is one bright spot in the proceedings, however. Negotiations looking toward settlement of the strike continue and reports of progress persist. This hope of a settlement sharply emphasizes the tragedy and futility of violence.

Memphis, Tenn., Commercial Appeal
May 22, 1936

A Question For The Jury

Laymen as well as lawyers are indebted to Justice Ethridge of the supreme court of Mississippi for his painstaking and exhaustive researches into the history and the background of our legal and political systems. For many years he has contributed timely and informative articles to the public press, at the same time carrying into his opinions from the bench the same careful and constructive study.

It was with no little interest, therefore, that readers found much to entertain and instruct in the justice's opinion Monday involving the appeal of a Coahoma County negro from a conviction of murder. Defense lawyers argued that the negro was not guilty of any crime greater than manslaughter, and the argument quite naturally took a studious turn.

The result was an opinion by Justice Ethridge in which he reviewed the entire theory of manslaughter. It was illuminating. Not only were the requirements of Mississippi law and practice brought to bear on the subject, but the entire range of common law was explored. Of course this range took in bits of philosophy, the frailties of human beings, the infirmities of temperament, emotions; in fact, it was technical after a fashion in that it dealt with a subject not generally familiar to even intelligent men.

Then the justice concludes: "Whether the facts developed constitute manslaughter in this case, is a question for decision by the jury."

In other words, here is a subject upon which learned judges devote hours of time, in which they run the gamut of history, philosophy, psychology and all the realm of human reactions; and yet, our system of criminal procedure requires that the application of such a complicated definition as it affects a particular crime shall be left "to the decision of a jury."

Under our antiquated system, a judge who is trained in the law and paid by the people to preside in our courts of justice is absolutely barred from making such an application himself. He knows what manslaughter is. He knows what the demands of the law are. Yet, if he undertakes by the merest gesture to assist the jury in adjusting the facts to the intricate definitions of the law, the case is reversed and the judge is rebuked.

It is unfortunate that we have come so far from the pure and simple jury system of the early days. We have destroyed a practical, workable, justice-loving institution and created an empty myth. Not only are our juries today expected to wrestle with delicate applications of the law, but they must do so through the mist and maze of confused rules of evidence and procedure which only adds to their bewilderment.

And yet, J. Edgar Hoover is responsible for the prediction that 15,000 innocent Americans will be murdered in the United States within the next three years.

NEGRO SLAIN

WETUMPKA, ALA., July 25—(Special)—"Bud" Blake, 22-year-old negro, was shot and instantly killed on the streets of a negro section of town early this morning. Nathan Henderson, another negro, who was alleged to have done the shooting, attacked Blake while he was seated in an automobile with Henderson's wife. Henderson fled immediately after the shooting. Sheriff Austin said that the negro was very likely in hiding in the neighborhood and would probably surrender to the authorities by tomorrow.

Must We Kill?

Several weeks ago in Tennessee an aged Negro and his sister who refused to be evicted from land they had lost through foreclosure defied the law. Writs, processes and court orders they could not understand. Some questioned their sanity. At any rate their faulty powers of comprehension led them to distrust all human beings save one—a member of their own race who used to take groceries to them and make their other small purchases.

Repeated warnings were to no avail. At length came the day of eviction. Barricaded behind their door, the befuddled pair opened fire. One officer was killed.

Guns silenced, the officers completed their mission. The two were buried in a corner of the plot for which they paid their lives.

Yesterday Birmingham witnessed a sequel to the above story. Again a Negro who defied eviction and had boasted he would never be taken from his house alive. He leveled his gun at officers who came to carry out a justice of peace order and fell before he had an opportunity to press the trigger.

Officially the killing was held justifiable. Technically perhaps the coroner's verdict was right. Had the officer not fired when he did, perhaps he too would be dead today.

But are such killings necessary?

Forewarned of likely trouble, is it not asking too much of an officer to require him to walk into the face of death behind a barricaded door?

How far does the responsibility of an officer go as a public protector? Is it not just as much his duty to protect a misguided Negro against himself as to serve an eviction order to gain possession of a piece of property.

We note the finding of Communist literature in the house—as an extenuating circumstance, perhaps. But are we ourselves by such procedure not guilty of preparing the soil and making it fertile for the seeds of Communism?

It would have taken more time. It would have required patience — ingenuity, perhaps—but there are officers in Jefferson County who could have taken possession of Tillman Kellum's house without killing him.

Second Of Negro Trio Confesses Double Murder And Describes It

A scond confession to the murder of Mr. and Mrs. W. H. Grantham elderly Geneva County couple, on the night of Sept. 4, 1935 corroborating in all essential details that of Harrison Brooks was made yesterday at Kilby Prison by Booker T. Washington, another of the trio of negroes arrested Wednesday near Hartford and charged with the crime, according to information made public at headquarters of the State Highway Patrol.

According to the confessions of Harrison Brooks and Washington, it was said, both stated that they accompanied by Pete Brooks went to the combined store on the night of Sept. 4 and one of them knocked repeatedly on the door, summoning Mr. Grantham on the pretext that he wanted to buy some cigarets. Mrs. Grantham it appears, had retired for the night and Mr. Grantham was preparing to do so when he went to the door, unlocked it and pulled it slightly open to inquire what was wanted. All three negroes immediately forced their way inside.

"What do you all mean?" Mr. Grantham asked. They were his last words. One of the negroes struck him a terrific blow in the face with his fist, felling him. Another then beat him in the head with a heavy piece of metal until he lay lifeless. They next rushed into the bedroom where Mrs. Grantham, alarmed by the sound of the scuffle at the door, had started screaming, seized her and beat her to death with the piece of metal. They then ransacked the premises obtaining a billfold containing $45 which they divided equally among them. Putting out all lights they dashed out and away.

The foregoing, it was said, is in brief, the account of the double murder as related by both Harrison Brooks and Washington, two of the alleged killers. The murder instrument which was never found, was described by both negroes as a heavy steel spindle from the front axle of a buggy, which was thrown into a ditch as the three fled from the scene of their crime. Their entire loot, they said, was the $45. Officers investigating the crime found an old syrup can containing $1,100 in cash hidden in the bed in which Mr. and Mrs. Grantham slept.

The three alleged killers, Harrison Brooks, his brother Pete Brooks, and Washington, were taken into custody following an investigation extending over a period of two months by Special Investigator John H. Linch, of the Highway Patrol, assisted by Patrol Officer John W. Barron and Frank Hall, former deputy sheriff, working in cooperation with Sheriff W. C. Register of Geneva County. Harrison Brooks confessed, it was announced, immediately after his arrest and some time prior to his transfer with the other two prisoners, to Kilby, in custody of the Sheriff and Mr. Linch.

Washington made his confession during the forenoon yesterday, it was said. Pete Brooks has partially corroborated the account of the crime given by his brother and Washington, it was learned but has not yet made a complete statement. All three are charged with murder.

Mr. and Mrs. Grantham lived in the Oak Grove Church community near Hartford, and operated a filling station also a small store, the latter being located in the same building with their living quarters. Their bodies were found in the house on the morning of Sept. 5.

Man And Wife Murder Solved

Negro Confesses He And 2 Others Slew Geneva Couple Last September

Mystery surrounding the brutal murders of Mr. and Mrs. W. H. Grantham, elderly Geneva County couple, which occurred early a year ago at their home in the Oak Grove Church community near Hartford, where they operated a small country store and filling station, was solved yesterday with the arrest of three negroes, one of whom confessed to the crime, implicating the other two and giving robbery as the motive, it was announced soon after the arrests were made, by Chief Walter K. McAdory, of the State Highway Patrol.

The three negroes are Harrison Brooks, who is alleged to have made the confession, his brother, Pete Brooks, and Booker T. Washington. Following the murder last year Harrison Brooks was taken into custody and held for questioning as a suspect, but later was released when sufficient evidence could not be obtained to connect him with the crime.

Transferred to Kilby Prison by order of Circuit Judge Robert S. Reid, of Andalusia, where they arrived last night in the custody of Sheriff W. C. Register, of Geneva County, and Special Investigator John H. Linch, of the Highway Patrol, who before leaving swore out a warrant before Justice of the Peace W. R. Draughon at Geneva for each of the three negroes, charging them with murder, the three were further questioned. One of the two men implicated by Harrison Brooks in his confession was reported to have also made a confession in the course of this questioning, corroborating Brooks.

Mr. and Mrs. Grantham were murdered some time during the night of Sept. 4, 1935, in their bedroom. Their bodies were found the following morning. Both had been clubbed to death. The entire building, including the store had been ransacked by the killer or killers, who apparently had been searching for money. Investigators found a syrup can covered with cobwebs, hidden in the head of the bed where the aged couple had been sleeping. When opened the can was found to contain $1,100 in cash. It was the theory of authorities at the time that it was this hoard that the marauders were seeking and that it motivated the double murder.

Capt. Potter Smith and J. W. McClung, special investigator, were assigned by Gov. Graves to assist local officers in the investigation that followed the tragedy. Though efforts to locate the slayers were without result, the investigation was never dropped and Mr. Linch, of the Highway Patrol, was assigned to the case about 60 days ago, Chief McAdory said, and has since been cooperating with Sheriff Register. Mr. Linch, he said was assisted by Highway Patrolman John W. Barron and Frank Hall, former Geneva deputy sheriff.

The confession by Harrison Brooks, the first of the three negroes to be arrested, was made, Mr. McAdory said, to Mr. Linch, in the presence of Sheriff Register and three other patrol officers. After Brooks had made his statement implicating his brother and Washington, they were also arrested. All three negroes were taken into custody near Hartford during the forenoon.

T. C. I. OFFICER SLAIN BY NEGRO

Secreted In Attic, Youth Mercilessly Sends Shots Into Pursuer's Body

Armed with two pistols, a desperate young Negro who killed an officer for a pair of shoes was at large today, the object of a county-wide hunt.

His victim was Clarence C. Helton, company deputy for the Tennessee Coal, Iron & Railroad Co. at Docena, a former Birmingham policeman and the father of four children.

Cornered in the loft of a vacant Negro dwelling, Andrew Means, 17, shot Officer Helton as the latter attempted to climb through an opening in the kitchen ceiling. The bullet struck him in the face and came out the back of his head.

Shot With Own Gun

As the officer fell from a chair on which he was standing, Means clambered down, grabbed the officer's gun and shot him again in the back as he lay bleeding and dying on the floor. Altogether, four pistol reports were heard.

The officer was directed to the duplex house, one side of which was occupied by Willie and Sadie Geter, Means' mother and step-father, by Monroe Neal, another young Negro, who accused Means of stealing a pair of shoes from him Monday night. After a search of the house, the occupants said, Mr. Helton discovered a chair beneath the square hole in the unoccupied side.

His gun could not have been drawn, deputies reasoned, for finger marks of both hands were found at the edge of the hole, where he had attempted to pull himself up. Palms of both his lifeless hands were afterward black with moldy dust.

The Geter couple were held in County Jail today as material witnesses. In an inquest conducted by Coroner Gip M. Evans, the mother admitted having seen one of the shots fired, the coroner said. She was quoted as saying she told Officer Helton she knew the youth was in the house.

Keeps The Shoes

Means was seen by neighbors running barefoot from the house, a gun in one hand and a pair of shoes in the other. He disappeared up a nearby railroad track, running in the direction of Birmingham.

Organizing in small bands, the officers, directed by Chief Deputy Charles E. McCombs, began a systematic search of the surrounding hills. A few armed citizens aided them but no attempt was made to form a mob.

Parties led by Deputies Sam Arnett, H. C. Peveler, P. T. Hammond and the slain officer's two cousins on the Birmingham police force, Detective W. B. Helton and Officer J. B. Helton, searched homes of Means' aunt, Rosa Lawson, and his grandmother, Lizzie Carter without result.

Traps Are Set

Slightly dressed as he was, it was believed he would attempt to reach one of these places or his own residence in Cappatown to get more clothes, before making a getaway. All-night traps were laid at each place.

W. R. Sims, chief company deputy, led all available T. C. I. officers in the search.

Means was described as tall and slim, with very dark skin. He was dressed in blue pants and shirt and was hatless. His weight was estimated at 140 pounds. He was not employed by the company.

Former City Officer

Following a family tradition, Mr. Helton had been an officer for approximately 10 years, having first worked for the City of Inglenook before it was annexed to Birmingham. He was a city motorscout before taking a job as company officer and had worked in several camps before being made chief special officer at Docena more than a year ago. Residents knew him as friendly to all but fearless in the performance of his duty.

The body was taken by Brown-Service of Ensley to the home today to await arrival of relatives for the funeral tomorrow. Surviving Mr. Helton are his wife; three sons, Wallace, Clarence and Robert Helton; a daughter, Ola Ruth Helton; his mother, Mrs. Ruth C. Helton, Tarrant; two brothers, D. C. Helton, Inglenook, and P. B. Helton, Tarrant, and a sister, Mrs. W. L. Hubbard, Tarrant.

Killings-1936

Alabama

LOWNDES NEGRO'S CASE IS REVERSED

Richard Goldsmith's Sentence Of 30 Years Too Much, Court Holds

Holding that the evidence for the State, conceding that the defendant fired the fatal shot, "at best" showed no more than first degree manslaughter—the Alabama Supreme Court in opinion by Chief Justice John C. Anderson, yesterday reversed judgment of the Lowndes Circuit Court and remanded for a new trial, the case of Richard Goldsmith, negro, convicted of murder in the second degree and sentenced to imprisonment for 30 years in connection with the killing of Guy Sellers, white Lowndes County farmer.

The shooting and fatal wounding of Sellers, occurred on Christmas Eve night, 1934, when he and two other white men went to the home of Georgia Jakes, aged negro woman, allegedly to get some whisky; but this was denied by defense witnesses. When they entered the premises the woman, Georgia Jakes screamed for help. Goldsmith, her kinsman who lived nearby, responded, and the fatal shooting followed. There was evidence tending to show that another negro man who shortly before had accompanied the woman's granddaughter to the house, was hidden behind a door and fired the shot that fatally wounded Sellers. Following the shooting Goldsmith voluntarily surrendered himself to Lowndes County authorities.

In his opinion, Chief Justice Anderson said:

"This record discloses the most reprehensible conduct on the part of the deceased and his companions, the State's two witnesses, who invaded the sanctity of the home of a helpless old negro woman, terrorizing the inmates, and for the evident purpose of prostituting her granddaughter or for some other improper purpose. The defendant was not only a close neighbor but the uncle of the granddaughter and, after hearing the disturbance, was actuated by the most humane instincts to go to the rescue, and though he may not have acted strictly in self defense from a technical standpoint, conceding that he fired the fatal shot, we do not think that his conduct rose to the degree of murder or merited the punishment fixed by the jury.

"Had all these parties been of the same race, or if conditions had had reversed, we feel sure that there would have been a different verdict and that the present one was actuated by passion or race prejudice; not perhaps from corrupt motives, but from an inborn and uncontrollable antagonism between the two races, when a negro kills a white man or when a white man kills a negro—an antagonism which seldom exists in the administration of justice by the strong to the weak for the commission of most offenses.

"We, therefore, hold that the trial court erred in not granting the motion for a new trial upon the idea that the defendant was, at most, guilty of nothing but manslaughter in the first degree and that his punishment was, therefore, excessive and unjust." The opinion and rulings were concurred in by Justices Lucien D. Gardner, Virgil Bouldin and A. B. Foster.

Dothan, Ala. Eagle
June 2, 1936

REMARKABLE ALABAMA

The Supreme Court of Alabama yesterday ordered a new trial for a Negro, given 30 years for killing a white man, on the ground that sentence was "excessive" and was "actuated by passion or race prejudice."

What in the world has happened to Alabama? Repeatedly, within the last year or so, when lynching mobs have formed some Alabama sheriff has turned on the mob with such ferocity that the would-be lynchers have slunk away like so many whipped curs. We repeat, for emphasis, this has happened not once, and not with one sheriff, but several times and with several different officers on the spot. Apparently Alabama is developing a definite dislike for lynching.

This is not a regional advance, for her neighbors on either side go merrily ahead with their gala murders. The thing is peculiar to Alabama. Now the Supreme Court of the same State takes the position that in Alabama even a Negro who kills a white man must be given just the punishment that a white man would be given in the same circumstances.

Whether this is due to an Alabaman resolution to afford the Negro equal and exact justice, or merely to a desire not to be like Georgia, on one side, and Mississippi, on the other, is not clear. But whatever the motive, the result is admirable.—Baltimore Evening Sun.

CHATTANOOGA, TENN.
TIMES

JUN 2 - 1936

JUSTICE TO THE WEAK.

Heartening to all those who believe in justice was the recent decision of the Alabama Supreme Court granting a new trial to a Negro because his thirty-year sentence was "excessive" and "actuated by passion or race prejudice." Richard Goldsmith, a Negro, was convicted of killing a white man in a Christmas Eve altercation in 1934 at the home of an aged Negro woman near Fort Deposit, Alabama. Goldsmith surrendered to authorities immediately after the shooting. He pleaded not guilty at his trial and was convicted and sentenced to thirty years' imprisonment for second degree murder.

The circumstances of the case, as commented on in the Supreme Court's decision written by 72-year-old Chief Justice John C. Anderson, cause one to wonder not only how the sentence could be imposed, but also how the Appeals Court could have affirmed the judgment. For in granting the new trial, Justice Anderson asserted:

This record discloses the most reprehensible conduct on the part of the deceased and his companions, the State's two witnesses, who invaded the sanctity of the home of a helpless old Negro woman, terrorizing the inmates and for the evident purpose of prostituting her granddaughter, or for some other improper purpose * * *

If all the parties had been of the same race, Justice Anderson said in his decision, or if conditions had been reversed, the verdict probably would have been different. He asserted the conviction of the Negro "was actuated by passion or race prejudice; not, perhaps, from corrupt motives, but from an inborn and uncontrollable antagonism between the two races * * * an antagonism which seldom exists in the administration of justice by the strong to the weak."

It is fortunate, not only for the defendant but for the people of the South, that in the particular case an able, courageous Judge prevented what in the circumstances would have certainly been a grievous miscarriage of justice. Even if the defendant Negro was guilty of firing the fatal shot, Justice Anderson held, he was not guilty of a higher offense than first degree manslaughter, which carries a sentence of from one to ten years. Yet he was sentenced to thirty years' imprisonment. And because of this particular type of justice as it is administered "by the strong to the weak," the defendant obtained no relief until the highest Court in the State intervened. And this intervention means much more than a new trial for a Negro. It means that in still another case justice has moved to eliminate the influence of passion and race prejudice.

PADUCAH, KY.
SUN-DEMOCRAT

JUN 8 - 1936

Look To Alabama

The Supreme Court of Alabama has ordered a new trial for a Negro, given thirty years for killing a white man, on the ground that the sentence was "excessive" and was "actuated by passion or race prejudice."

What in the world has happened to Alabama? Repeatedly, within the last year or so, when lynching mobs have formed, some Alabama sheriff has turned on the mob with such ferocity that the would-be lynchers have slunk away like so many whipped curs. We repeat, for emphasis, this has happened not once, and not with one sheriff, but several times and with several different officers on the spot. Apparently Alabama is developing a dislike for lynching.

This is not a regional advance, for her neighbors on either side go merrily ahead with their gala murders. The thing is peculiar to Alabama. Now the Supreme Court of the same state takes the position that in Alabama even a Negro who kills a white man must be given just the punishment that a white man would be given in the same circumstances.

Whether this is due to an Alabaman resolution to afford the Negro equal and exact justice, ore merely to a desire not to be like Georgia on one side, and Mississippi, on the other, is not clear. But whatever the motive, the result is admirable.

Birmingham, Ala., Labor Advocate
June 18, 1936

A NOTEWORTHY DECISION OF THE ALABAMA SUPREME COURT

Last week the Supreme Court of Alabama granted a new trial to a Lowndes County negro who had been convicted of killing a white man on the ground that the sentence of thirty years was "excessive and unjust" and the result of "passion or race prejudice." In rendering the decision, Chief Justice John C. Anderson said in part: "The record discloses the most reprehensible conduct on the part of the deceased and his companions who invaded the sanctity of a helpless old negro woman's home, terrorizing the inmates." Concerning the sentence of thirty years' imprisonment imposed by the lower court on the negro defendant, the Supreme Court decision said, "We do not think his conduct rose to the degree of murder or merited the punishment inflicted by the jury." This further significant utterance was made by Chief Justice Anderson, "Had all parties been of the same race, or if conditions had been reversed, we feel sure that there would have been a different verdict, and that the present one was actuated by race prejudice."

We make editorial mention of this decision of the Alabama Supreme Court in order to commend the Court for its high stand in the interest of justice and righteousness. This is a clear demonstration of the integrity and fair-mindedness of Alabama's highest judicial body, and its determination that justice shall be administered without regard to race or color. It is to be regretted that the decision in the lower court was made under such conditions as to render it liable to reversal by the higher court on ground of race prejudice. But the Christian citizens of the State will commend the action of the Supreme Court as being based on fairness and justice.

We mention this court decision for the further purpose of reminding the citizens of other sections of our country, as well as those in Alabama, that the rash charges of persistent and unvarying injustice toward the negro in the courts of the South are by no means true. We deplore injustice toward the negro, or any other person, under any circumstances whatever; but all the more if the injustice is caused by race prejudice. But we resent the oft-repeated declaration that the South is the one section where no fairness or justice can be found for the negro. The true and right course is to condemn injustice and commend justice wherever found.

Suffolk, Va., News-Herald
June 8, 1936

STRANGE THINGS COME TO PASS

News of significant import came out of the deep south this week. A "black belt" Negro, convicted of killing a white man, won a new trial from the Alabama Supreme Court. The slayer had been found guilty by a jury and sentenced to thirty years in prison. The amazing question is, how did a Negro who had shed the blood of a white man escape the mob in Alabama to begin with?

The high court of Alabama, a state deeply imbedded in racial hatred and unreasoning prejudice, concluded that the sentence was "excessive and actuated by passion." The sharply worded decision was penned by Chief Justice John C. Anderson in his thirty-third year on the Supreme Court bench. It reversed the lower court, saying in part:

"This record discloses the most reprehensible conduct on the part of the deceased and his companions, the state's two witnesses, who invaded the sanctity of the home of a helpless old Negro woman, terrorizing the inmates and for the evident purpose of prostituting her granddaughter or for some other improper purpose.

"Had all these parties been of the same race, or if conditions had been reversed, we feel sure there would have been a different verdict and that the present one was actuated by passion or race prejudice; not perhaps from corrupt motives, but from an inborn and uncontrollable antagonism between the two races . . . an antagonism which seldom exists in the administration of justice by the strong to the weak . . . "

Written by a southern-born jurist, a decision like the one handed down at Montgomery speaks in thunderous tones. Such a ruling read from the bench of a New England court would have had little significance. Only those who understand the nuiances of far southern public sentiment toward the weaker race in crimes committed against the stronger can fully understand.

When the courts begin to insist upon exact justice in identic cases regardless of race, color or social status, black men and poor friendless white men everywhere in this country may hope to enjoy the sanctity of life and the security of the person supposed to be guaranteed all under our laws and constitutions. Time is marching on and its processes are broadening the minds of men and tempering the spirit of our race.

Negro Who Killed White Man To Die

Gov. Graves yesterday refused clemency to Tom Perkins, 24-year-old Monroe County negro, under sentence to die in the Kilby Prison electric chair Friday for the slaying of Clifton McNeil, 24, member of a prominent old Texas community family in Monroe County.

Perkins was an escaped convict at the time of the slaying, which witnesses said occurred when young McNeil attempted to prevent him from attacking a negro woman cook.

Perkins told Gov. Graves and the State pardon board at this clemency hearing a month ago that he was "hired" to shoot McNeil, but the chief executive said today that investigations by highway patrolmen and local officers proved the negro's contentions "absolutely unfounded."

The shooting occurred at the home of Mr. and Mrs. Marvin Owen, where McNeil lived. He was a brother of Mrs. Owen.

Judge F. W. Hare, who presided at the negro's trial, said in a requested letter: "Should be electrocuted."

Anniston Man Dies Of Wounds, Naming Bush Negro As Slauer

ANNISTON, ALA., Aug. 13.—(AP)—Pat Hicks, wounded as armed posses sought a negro wanted for an attempted abduction, died today after giving a death-bed statement naming Art Bush, negro, as his assailant.

Bush is in jail in Birmingham, where he was taken for safe-keeping as racial feeling ran high.

Officials said Hicks's statement will be turned over to a grand jury meeting here Sept. 21, to investigate gunfire at Bush's cabin, in which Hicks and two others were wounded.

The grand jury also will hear testimony from deputy State fire marshals, sent here from Montgomery to investigate the burning of the Bush barn, and a reported attempt to burn the Bush home.

Forney Martin, seriously wounded at the Bush house, was showing improvement today, hospital attaches said. Albert Hicks, brother of the man fatally wounded, was shot but not seriously hurt.

Racial feeling, which led to mobilization of State troops, had subsided today, and Guardsmen returned to their homes. Thirty of the 40 State highway patrolmen concentrated here after the shooting had been sent back to regular posts.

No arrests have been made in the attempted abduction of the two-month-old child of Mrs. Geneva Williamson. The mother told authorities an unidentified negro dropped the baby when she struck him with a hammer.

Murder Charge Will Be Placed Against Negro

Chief Walter K. McAdory of the State Highway Patrol said yesterday afternoon it was his information that following the death of Pat Hicks, wounded as he advanced with a group of other white men on a house occupied by Art Bush, negro, in the Blue Mountain section of Calhoun County—the charge against Bush, who was later arrested, will be changed to first degree murder.

Mr. McAdory stated he still had 10 Patrol officers on duty in the Blue Mountain community, but that no further trouble had been reported from there. The fatal shooting of Hicks and the wounding of several other white men in the recent race clashes in Calhoun will be investigated by the county grand jury, it was learned, when that body convenes in regular session on Sept. 21.

The State Fire Marshal's office yesterday assigned Deputy Fire Marshal Fred Martin to investigate the burning of a barn owned by the negro, Bush, which preceded the shooting that resulted in the death of Hicks.

Several weeks prior to being mortally wounded by Bush, who is now being held in Birmingham, Hicks, while a member of a posse searching in a swamp in Calhoun County for Roosevelt Collins, negro, charged with criminally attacking a white woman, was hit in the knee by a bullet fired by the fugitive, but the injury was not severe.

Collins was subsequently arrested, confessed to the crime, and has since been indicted, tried, convicted, and sentenced to death.

Killings-1936

Alabama

BALTIMORE LOOKS AT ALABAMA

The admirable Baltimore Evening Sun continues to be interested in the progress of life in Alabama. The Evening Sun every now and then finds something to praise and little to condemn in Alabama. It has kept a level head about Scottsboro from the beginning, and has never failed to give Alabama credit for its honest efforts to check lynching. The Advertiser has more than once had occasion to record its satisfaction at the good sense of The Evening Sun regarding such matters.

Recently our Baltimore contemporary took occasion to say:

> The Supreme Court of Alabama yesterday ordered a new trial for a Negro, given 30 years for killing a white man, on the ground that the sentence was "excessive" and was "actuated by passion or race prejudice."
>
> What in the world has happened to Alabama? Repeatedly, within the last year or so, when lynching mobs have formed, some Alabama sheriff has turned on the mob with such ferocity that the would-be lynchers have slunk away like so many whipped curs. We repeat, for emphasis, this has happened, not once, and not with one sheriff, but several times and with several different officers on the spot. Apparently Alabama is developing a definite dislike for lynching.
>
> This is not a regional advance, for her neighbors on either side go merrily ahead with their gala murders. The thing is peculiar to Alabama. Now the Supreme Court of the same State takes the position that in Alabama even a Negro who kills a white man must be given just the punishment that a white man would be given in the same circumstances.
>
> Whether this is due to an Alabama resolution to afford the Negro equal and exact justice, or merely to a desire not to be like Georgia, on one side, and Mississippi, on the other, is not clear. But whatever the motive, the result is admirable.

The Advertiser wishes to add that in its opinion Chief Justice John C. Anderson spoke in the best tradition of the white South in writing the opinion of his court that this Lowndes county Negro was entitled to a new trial. The Chief Justice wrote with force and eloquence an opinion, concurred in by his associates, which will long be remembered to the credit of all concerned.

Anniston, Ala. Star
May 30, 1936

A New Day For Justice

The Birmingham Age-Herald makes a most intelligent comment on what appears to be a new day and a new thought in the halls of justice. Justice's scales are nearing a balance on a question that has been one of the paramount problems in the South.

The Age-Herald comments as follows:

"In Birmingham the other day a Negro, identified by a white woman as having been her assailant, was nevertheless acquitted by a white jury presumably on testimony also by white persons that at the time of the assault the defendant was at work in another place. The case was a striking instance of Southern justice in behalf of the colored man. It was also another eloquent argument against the enormity of mob action.

"Soon after that verdict a jury of white men in the federal court at New Orleans awarded damages to the parents of a Negro lynched by a mob which a sheriff's deputies were alleged to have assisted. In effect, the verdict was another telling blow for racial justice and against violence in the name of justice.

"Now comes a notable decision by the Alabama Supreme Court granting a new trial to a Negro sentenced to 30 years for the alleged killing of a white man.

"The reversal was on the grounds that the sentence was 'excessive and unjust' and the result of 'passion or race prejudice.' Chief Justice John C. Anderson's opinion held that the Negro should not have been convicted for more than first degree manslaughter, conceding that he fired the shot. Said the chief justice in part:

> The record discloses the most reprehensible conduct on the part of the deceased and his companions, the state's two witnesses, who invaded the sanctity of a helpless old Negro woman, terrorizing the inmates, and for the evident purpose of prostituting her granddaughter or for some other improper purpose.

"The Negro was an uncle of the old woman's granddaughter, and, Justice Anderson said, 'may not have acted strictly in self-defense from a technical standpoint, conceding that he fired the fatal shot,' which the defendant denied.

"The defendant's counsel offered in evidence an alleged confession by another Negro that he fired into the room where the white man was killed, but the evidence was not admitted.

"After the shooting, the Negro, now granted a new trial, fearing mob violence, immediately surrendered to a deputy sheriff and was taken to Montgomery for safe-keeping.

"'Had all parties been of the same race,' the chief justice continued, 'or if conditions had been reversed, we feel sure that there would have been a different verdict and that the present one was actuated by passion or race prejudice; not perhaps from corrupt motives, but from an inborn and uncontrollable antagonism between the two races, when a Negro kills a white man or when a white man kills a Negro—an antagonism that seldom exists in the administration of justice by the strong to the weak for the commission of most other offenses.'

"One day racial antagonism, indiscriminate, unjust and dangerous, may be neither 'inborn' nor 'uncontrollable' anywhere in the South. Chief Justice Anderson's opinion, concurred in by Justices Lucien D. Gardner, Virgil Bouldin and A. B. Foster, is itself one of the magnificent evidences that this antagonism is not everywhere inborn or uncontrollable. On the contrary, it, the verdicts referred to above and many other signs may be taken as indications of how far the South is moving away from old antagonisms—antagonisms that are blind, however easily understandable they may be."

Nauseating

Human nature so often leads people into futile and stupid deeds. This is frequently the case when an individual seeks revenge, for revenge is blind.

A white man at Anniston was shot and killed two weeks ago by a Negro whose house he was attempting to search. The evidence tends to show that the Negro was defending his home.

Sunday night the brother of the dead man went out and killed a foster relative of the suspected Negro slayer, apparently without provocation, in cold blood.

The white man may feel better now about it all. We don't know how he feels, or whether he will ever be punished. We do know such unprovoked murder is nauseating to thinking Southern people.

One Man Slain, Another Dies In Motor Collision

W. E. Lush, WPA Client, Done To Death In Fight With Gang Of Negroes

One Suspect Held

J. B. McAdam Succumbs To Injuries Received As Cars Crash At Corner

Three white persons met violent deaths in Montgomery in the last two days and six others were injured. Of the dead, two were victims of vehicular collisions. The third, W. E. Lusk, 29-year-old PWA worker of 711 Clay Street, was believed to have died of wounds inflicted upon him in a scuffle with two or more negroes at Clay and Holt Streets at 2 a.m. yesterday. One of the negroes, Emmitt Smith, 311 Clay Street, was being detained last night by police and Chief of Detectives Paul Rapport said he would be charged with murder today.

J. B. McAdam, grocer of 201 North Holt Street, was the second traffic accident victim in as many days. He received fatal injuries about 3:20 p.m. yesterday when the car in which he was riding, driven by Mrs. Lilly Coffman, wife of Corp. Coffman, Maxwell Field, was in collision with a car driven by S. D. Hilliard, 30, of 20 Covington Street.

The collision occurred at Jefferson and Decatur Streets and the rear of the Coffman car was crushed against a telephone pole. McAdam and Corp. Coffman were said to have been in the rear seat. Mrs. Coffman was thrown from the machine and cut on her face, while her husband received severe bruises.

The identity of Lusk, who was found unconscious about 2 a.m. at Clay and Holt Streets by a negro, remained a mystery until early last night when relatives, anxious over his failure to return home, made inquiry and found his body at Diffly's Funeral Home.

Police received a call to Clay and Holt Streets where they found Lusk in a dazed condition. He was taken to hospital where, without regaining his faculties, he died about 10:30 a.m.

The injured persons, including McAdam, were taken to a hospital in an ambulance with McAdam protesting that he was "not hurt enough to go to one of those places." His death occurred about an hour and a half later from a cerebral hemorrhage.

Hilliard, who with Mrs. Coffman was charged with collision, was said by Officers Newton and Goins to have escaped injury.

The third person to die here was Malcomb Mathis, of Luverne, whose car was in collision early Saturday at High and Perry Streets with one driven by Rawls, of Cook Road. Mathis died shortly after reaching a hospital. Rawls, police said, was not injured.

Four Injured

Another collision yesterday, in which four persons were injured, occurred about 5 a.m., one mile south of the city limits, while the other driver was badly bruised.

Both drivers were arrested on collision charges and Mable Dees, in addition, was charged with operating a vehicle while under the influence of liquor. All of the injured persons were taken to hospitals and, last night, were reported to be recovering.

Trudie Weaver, 217 Dickinson Street, and Lewis Wilson, 603 Jefferson Street, said to have been passengers in the car with Mabel Dees, were injured also. The former received bruises, lacerations and possible back injuries. Minor lacerations and bruises were believed to be the extent of Wilson's.

According to Officers D. B. Easter and V. C. Elgin, Selma Road dairyman with Mrs. Dees, 28, of 603 Jefferson Street, crashed into a sedan driven by Mabe Elgin possible received severe bruises and a fracture and bruises and a fracture

Slain Man Identified

Alabama

Killings-1936

BALTIMORE LOOKS AT ALABAMA

The admirable Baltimore Evening Sun continues to be interested in the progress of life in Alabama. The Evening Sun every now and then finds something to praise and little to condemn in Alabama. It has kept a level head about Scottsboro from the beginning, and has never failed to give Alabama credit for its honest efforts to check lynching. The Advertiser has more than once had occasion to record its satisfaction at the good sense of The Evening Sun regarding such matters.

Recently our Baltimore contemporary took occasion to say:

> The Supreme Court of Alabama yesterday ordered a new trial for a Negro, given 30 years for killing a white man, on the ground that the sentence was "excessive" and was "actuated by passion or race prejudice."
>
> What in the world has happened to Alabama? Repeatedly, within the last year or so, when lynching mobs have formed, some Alabama sheriff has turned on the mob with such ferocity that the would-be lynchers have slunk away like so many whipped curs. We repeat, for emphasis, this has happened, not once, and not with one sheriff, but several times and with several different officers on the spot. Apparently Alabama is developing a definite dislike for lynching.
>
> This is not a regional advance, for her neighbors on either side go merrily ahead with their gala murders. The thing is peculiar to Alabama. Now the Supreme Court of the same State takes the position that in Alabama even a Negro who kills a white man must be given just the punishment that a white man would be given in the same circumstances.
>
> Whether this is due to an Alabama resolution to afford the Negro equal and exact justice, or merely to a desire not to be like Georgia, on one side, and Mississippi, on the other, is not clear. But whatever the motive, the result is admirable.

The Advertiser wishes to add that in its opinion Chief Justice John C. Anderson spoke in the best tradition of the white South in writing the opinion of his court that this Lowndes county Negro was entitled to a new trial. The Chief Justice wrote with force and eloquence an opinion, concurred in by his associates, which will long be remembered to the credit of all concerned.

Anniston, Ala. Star
May 30, 1936

A New Day For Justice

The Birmingham Age-Herald makes a most intelligent comment on what appears to be a new day and a new thought in the halls of justice. Justice's scales are nearing a balance on a question that has been one of the paramount problems in the South.

The Age-Herald comments as follows:

"In Birmingham the other day a Negro, identified by a white woman as having been her assailant, was nevertheless acquitted by a white jury presumably on testimony also by white persons that at the time of the assault the defendant was at work in another place. The case was a striking instance of Southern justice in behalf of the colored man. It was also another eloquent argument against the enormity of mob action.

"Soon after that verdict a jury of white men in the federal court at New Orleans awarded damages to the parents of a Negro lynched by a mob which a sheriff's deputies were alleged to have assisted. In effect, the verdict was another telling blow for racial justice and against violence in the name of justice.

"Now comes a notable decision by the Alabama Supreme Court granting a new trial to a Negro sentenced to 30 years for the alleged killing of a white man.

"The reversal was on the grounds that the sentence was 'excessive and unjust' and the result of 'passion or race prejudice.' Chief Justice John C. Anderson's opinion held that the Negro should not have been convicted for more than first degree manslaughter, conceding that he fired the shot. Said the chief justice in part:

> The record discloses the most reprehensible conduct on the part of the deceased and his companions, the state's two witnesses, who invaded the sanctity of a helpless old Negro woman, terrorizing the inmates, and for the evident purpose of prostituting her granddaughter or for some other improper purpose.
>
> "The Negro was an uncle of the old woman's granddaughter, and, Justice Anderson said, 'may not have acted strictly in self-defense from a technical standpoint, conceding that he fired the fatal shot,' which the defendant denied.
>
> "The defendant's counsel offered in evidence an alleged confession by another Negro that he fired into the room where the white man was killed, but the evidence was not admitted.
>
> "After the shooting, the Negro, now granted a new trial, fearing mob violence, immediately surrendered to a deputy sheriff and was taken to Montgomery for safe-keeping.
>
> "'Had all parties been of the same race,' the chief justice continued, 'or if conditions had been reversed, we feel sure that there would have been a different verdict and that the present one was actuated by passion or race prejudice; not perhaps from corrupt motives, but from an inborn and uncontrollable antagonism between the two races, when a Negro kills a white man or when a white man kills a Negro—an antagonism that seldom exists in the administration of justice by the strong to the weak for the commission of most other offenses.'
>
> "One day racial antagonism, indiscriminate, unjust and dangerous, may be neither 'inborn' nor 'uncontrollable' anywhere in the South. Chief Justice Anderson's opinion, concurred in by Justices Lucien D. Gardner, Virgil Bouldin and A. B. Foster, is itself one of the magnificent evidences that this antagonism is not everywhere inborn or uncontrollable. On the contrary, it, the verdicts referred to above and many other signs may be taken as indications of how far the South is moving away from old antagonisms—antagonisms that are blind, however easily understandable they may be."

Nauseating

Human nature so often leads people into futile and stupid deeds. This is frequently the case when an individual seeks revenge, for revenge is blind.

A white man at Anniston was shot and killed two weeks ago by a Negro whose house he was attempting to search. The evidence tends to show that the Negro was defending his home.

Sunday night the brother of the dead man went out and killed a foster relative of the suspected Negro slayer, apparently without provocation, in cold blood.

The white man may feel better now about it all. We don't know how he feels, or whether he will ever be punished. We do know such unprovoked murder is nauseating to thinking Southern people.

One Man Slain, Another Dies In Motor Collision

W. E. Lush, WPA Client, Done To Death In Fight With Gang Of Negroes

One Suspect Held

J. B. McAdam Succumbs To Injuries Received As Cars Crash At Corner

Three white persons met violent deaths in Montgomery in the last two days and six others were injured. Of the dead, two were victims of vehicular collisions. The third, W. E. Lusk, 29-year-old PWA worker of 711 Clay Street, was believed to have died of wounds inflicted upon him in a scuffle with two or more negroes at Clay and Holt Streets at 2 a.m. yesterday. One of the negroes, Emmitt Smith, 311 Clay Street, was being detained last night by police and Chief of Detectives Paul Reaport said he would be charged with murder today.

J. B. McAdam, grocer of 201 North Holt Street, was the second traffic accident victim in as many days. He received fatal injuries about 3:20 p.m. yesterday when the car in which he was riding, driven by Mrs. Lilly Coffman, wife of Corp. Coffman, Maxwell Field, was in collision with a car driven by S. D. Hilliard, 30, of 20 Covington Street.

The collision occurred at Jefferson and Decatur Streets and the rear of the Coffman car was crushed against a telephone pole. McAdam and Corp. Coffman were said to have been in the rear seat. Mrs. Coffman was thrown from the machine and cut on her face, while her husband received severe bruises.

The identity of Lusk, who was found unconscious about 2 a.m. at Clay and Holt Streets by a negro, remained a mystery until early last night when relatives, anxious over his failure to return home, made inquiry and found his body at Diffly's Funeral Home.

Police received a call to Clay and Holt Streets where they found Lusk in a dazed condition. He was taken to a hospital where, without regaining his faculties, he died about 10:30 a.m.

The injured persons, including McAdam, were taken to a hospital in an ambulance with McAdam protesting that he was "not hurt enough to go to one of those places." His death occurred about an hour and a half later from a cerebral hemorrhage.

Hilliard, who with Mrs. Coffman was charged with collision, was said by Officers Newton and Goins to have escaped injury.

The third person to die here was Malcomb Mathis, of Luverne, whose car was in collision early Saturday at High and Perry Streets with one driven by Rawls, of Cook Road. Mathis died shortly after reaching a hospital.

Four Injured

Another collision yesterday, in which four persons were injured, occurred about one mile south of the city limits on the Mobile Highway. Both drivers were arrested on collision charges and with operating a vehicle while under the influence of liquor. All of the injured persons were taken to hospitals and, last night, were reported to be recovering.

Dees, 28, of 603 Jefferson Street, received severe bruises and a fracture of the wrist, while the other driver was badly bruised.

Trudie Weaver, 217 Dickinson Street, and Lewis Wilson, 603 Jefferson Street, were injured also. The latter received bruises, lacerations and possible back injuries. Minor lacerations were reported to be the extent of injuries to be suffered by Mabel Dees, Easterling Dees, in addition, was said to have been charged with operating a vehicle with Mabel Dees, was charged with operating a vehicle while under the influence of liquor. beformer received bruises, lacerations and to hospitals and, last night, were re- gilpossible back injuries. Minor lacerations ported to be recovering. rtand bruises were believed to be the extent

Slain Man Identified

WHITE MOBBIST JAILED WHEN ADMISSION IS MADE OF BRUTAL MURDER OF SHARECROPPER

THOUGHT HIS VICTIM WAS LEADING HIM INTO AN AMBUSH; BLACK DIES INSTANTLY

Bush Still In Jail For Defending Home

ANNISTON, Ala., Sept. 3.—(ANP)—This town's series of interracial troubles was added to Monday when Ozie Hicks, brother of a white mob member fatally wounded Aug. 10 by Art Bush as the latter protected his home, was placed in jail after admitting the murder of a Negro reared by Art Bush's family.

The victim of the slaying was known as Woodrow Allen or Woodrow Allen Bush.

According to Hicks, the slaying took place near Bush's cabin. The white man told authorities he was searching for a Negro whom he believed was with Bush the night his brother, Pat Hicks, was shot. Allen was aiding in the search. Hicks said he shot and killed Allen because he thought Allen was leading him into an ambush.

The Negro died almost instantly. The body was discovered Monday, the day of Hicks' arrest. Sheriff Pete Cotton jailed Hicks who readily admitted the murder, saying it took place Sunday night.

Bush, meanwhile, is being held in jail at Birmingham and may be tried for murder after telling officers he fired on a mob which tried to break into his cabin during a search for a still unidentified Negro who allegedly molested a white infant near here. Both Pat and Ozie Hicks and another white man were shot by Bush who fled, hid in a swamp all night, and then surrendered.

Just before the Bush trouble, Roosevelt Collins was convicted and sentenced to die for raping a white woman. Collins said at the trial that the woman expressed a willingness to receive his advances and her husband then tried to shoot the prisoner in court. Militia guarded this trial and were called in to settle other recent interracial clashes, including the Bush case, where whites vented their spleen on all Negroes following rumors of attacks.

Mob Member Says He Killed Negro

Claims He Thought Victim Was Trying To Lead Him Into An Ambush

ANNISTON, Ala. —(ANP)— This town's series of interracial troubles was added to Monday, August 24, when Ozie Hicks, brother of a white mob member fatally wounded August 10 by Art Bush as the latter protected his home, was placed in jail after admitting the murder of a Negro reared by Art Bush's family.

The victim of the slaying was known as Woodrow Allen or Woodrow Allen Bush.

According to Hicks, the slaying took place near Bush's cabin. The white man told authorities he was searching for a Negro whom he believed was with Bush the night his brother, Pat Hicks, was shot. Allen was aiding in the search. Hicks said he shot and killed Allen because he thought Allen was leading him into an amhush.

VICTIM DIES INSTANTLY

The Negro died almost instantly. The body was discovered Monday, the day of Hick's arrest. Sheriff [illegible] Cotton jailed Hicks who readily admitted the murder saying it took place Sunday night.

Bush, meanwhile, is being held in jail at Birmingham and may be tried for murder after telling officers he fired on a mob which tried to break into his cabin during a search for a still unidentified Negro who allegedly molested a white infant near here. Both Pat and Ozie Hicks and another white man were shot by Bush who fled, hid in a swamp all night, and then surrendered.

COLLINS CASE

Just before the Bush trouble, Roosevelt Colling was convicted and sentenced to die for raping a white woman. Collins said at the trial that the woman expressed a willingness to receive his advances and her husband then tried to shoot the prisoner in court. Militia guarded this trial and were called in to settle other recent interracial clashes, including the Bush case, where whites vented their spleen on all Negroes following rumors of attacks.

Negro Prisoner Shot Dead After Killing Accuser

Alonzo W. Ammons Slain In Police Car; Officers Riddle Assassin's Body

A powerful, flashily dressed negro, under arrest and on his way to headquarters in a police car yesterday afternoon, jerked an officer's pistol from its holster and shot his way to freedom, killing Alonzo W. Ammons, proprietor of a grocery store at 16 Oak Street. A little later policemen trailed the negro to his hiding place and riddled him with bullets.

Ammons, upon whose complaint the negro was arrested, died in the police car four minutes after two bullets from the policeman's pistol entered his body. He told officers that the prisoner, who late last night was identified as Eddie Steele, of Wetumpka, entered his store and abused him in the presence of his wife.

Officers A. J. Rutherford and Jesse Tillman were detailed to meet Ammons and a friend on the corner of Clay and Oak Streets. Ammons was to direct the officers to the negro's house and then come to headquarters and sign a warrant charging him with disorderly conduct.

Rutherford and Tillman were shown a house at 316 Clay Street where Steele was staying with a cousin. Tillman entered the front of the house and Rutherford walked around the house by way of entering the rear.

Rutherford met the negro in the alley as he was presumably attempting to flee. The officer whipped out his pistol and ordered him to stop.

Steele was placed in front of the open police car with Rutherford, the driver. Ammons, who last Summer stood in his store and shot a negro for having abused him, sat on the rear seat with Tillman, who was seated directly behind the prisoner. Ammons's friend followed the police car down Clay Street in his own car.

Rutherford abruptly halted the police car when he came to Herron Street. Ammons's friend, who was close behind, rammed the rear of the police car.

Seizes Officer's Gun

As Rutherford opened the door, preparatory to investigating the slight collision, Steele tore Rutherford's scabbard as he jerked his pistol out.

The negro leapt from the car, wheeled sharply, and with eyes bulging, pointed the pistol at its owner — Rutherford. Quickly he reconsidered, for Rutherford had no weapon and the men on the back seat did.

"Squire" Tillman saved his life by hurling himself to the floor of the touring car as he drew his pistol. As Ammons attempted to draw his gun, the frenzied negro shot him twice and the former's pistol fell to the floor.

Occasionally looking over his shoulder, Steele fled down Clay Street after he had emptied Rutherford's pistol into the car.

Tillman by this time had drawn his pistol and he stepped out of the car to send three bullets into the fleeing negro who slowed up not at all despite what were probably mortal wounds in his body.

Meanwhile an excited woman who had either witnessed or heard the shooting notified headquarters.

Detectives Sergts. Hugh McElvain and A. A. Enzor, and Officers T. H. Goins and Able Newton were sent to the scene. They met the police car on the corner of Holt and Clay Streets. McElvain remained with the car and the dead man while Rutherford, Tillman, Goins, Newton and Enzor got in another and set out after the assassin. Rutherford meanwhile armed himself with Ammon's revolver which contained four empty shells.

Trailed by Blood

Following the directions by bystanders who had seen the negro fleeing and the trail of blood left by the wounded negro, the posse followed him over fences and through alleys. Finally they surrounded the block formed by Herron, Dickerson, Martha and Holt Streets.

More blood and some children pointed to the home of Joseph T. Bray, 115 Holt Street, and said the fugitive was behind it.

The officers entered the premises from different directions, Enzor and Rutherford proceeding together.

Rutherford was looking into a hen house in the yard and Enzor was a few yards away searching another place.

Suddenly Rutherford pirouetted and looked in a concrete pit behind him, which was once used to work on automobiles.

Steele, wounded but with plenty of fight left in him, stood up, pointed Rutherford's own empty pistol at the officer and snapped the hammer twice.

He hurled the useless weapon to the ground and advanced on Rutherford with only a few feet between them. Rutherford aimed Ammons's pistol at the oncoming negro and fired two bullets into his chest.

Bleeding profusely, the negro closed with Rutherford. While they grappled diminutive Detective Enzor held the muzzle of his pistol with one hand and the butt with the other to prevent its being swept aside by flailing arms, and placed it against the negro's side.

Killings-1936

Arkansas.

Negro Confesses Slaying Leading Arkansas Planter

TEXARKANA, ARK., July 4.—(AP)—A negro man, described by officers as I. V. Jackson, about 40, was quoted by Miller County authorities today as having confessed the slaying of W. J. "Bill" Adcock, 47-year-old prominent planter, on the latter's plantation near Doddridge last Tuesday afternoon.

Adcock was found near a woods, shot and beaten to death, and the negro, employed on an adjacent farm, was quoted as saying he hit Adcock with a club and then shot him twice.

Officers said they believed robbery was the motive in the planter's death, as $20 in cash and a pocketbook which contained a deputy sheriff's commission were missing from his person when the body was found.

Jackson's statement was announced after questioning of him and a negro woman, described as Dixie Wilson, who was quoted as admitting she was present at the slaying.

These two were spirited out of town to an unannounced jail today.

GARLAND JURY CALLED FOR PROBE OF KILLING

Judge Witt Pleads Against Mob Threat

HOT SPRINGS, Ark., Aug. 19.—(AP)—Circuit Judge Earl Witt today called a special session of the Garland County grand jury to investigate the killing early this month of John McTigrit, 55-year-old night watchman, which resulted in a threat of mob violence against two negroes held in connection with the case.

Prosecutor Houston Emory earlier announced he would demand grand jury investigation into the threat made here Monday night against the negroes, but Judge Witt made no direct reference to this phase of the proposed investigation in calling the jury to meet here next Monday morning.

The judge in a statement asked the public "to let the due process of law take its course," and said:

"Public agitation and discussion of this crime will only hinder swift court action which the prosecutor has promised."

The negroes, James Austin and Casteel Rye, both 21, were spirited out of the city only a few hours before a mob of several hundred persons appeared at the courthouse Monday night. Officers convinced six men who entered the jail that the prisoners had been removed.

Flaying perpetrators of the action, Emory declared "such things as that are outrageous and will not be tolerated as long as I am prosecuting attorney in Garland County." The grand jury is expected to meet within the next three weeks.

Two Negroes Indicted In Arkansas Cop Killing

HOT SPRINGS, ARK., Aug. 24—(AP)—The Garland County Grand Jury in special session today indicted James Austin and Casteel Rye, 21-year-old Hot Springs negroes, for first degree murder in the Aug. 11 holdup killing of merchant Policeman John McTigrit 55.

Prosecutor Houston Emory said the Grand Jury also investigated last week's mob threat against the accused negroes, quoting Jury Foreman Frank Moody as saying that "lynchings or like demonstrations will not be tolerated here and a further probe is promised at a later date."

Last Monday night a large crowd of men gathered at the Garland courthouse shortly after the negroes had been spirited out of the city. The mob left only after representatives had inspected the jail in a search for the two.

2 NEGROES INDICTED IN OFFICER'S DEATH

Hot Springs Jury Will Probe Mob Attempt

HOT SPRINGS, Ark., Aug. 24.—(AP)—Separate indictments charging first degree murder were returned this afternoon by the Garland County grand jury in the cases of James Austin and Casteel Rye, both 21, negroes accused in the Aug. 11 holdup slaying of John McTigrit, 55, merchant policeman.

An investigation into a recent mob action against the negroes also was made and Prosecuting Attorney Houston Emory quoted Frank Moody, jury foreman, as stating "lynchings or like demonstrations will not be tolerated here and a further probe is promised at a later date."

Last Monday night a crowd of several hundred men gathered at the Garland courthouse shortly after the negroes had been spirited out of the city. The mob left only after representatives had inspected the jail in a search for the two.

Immediately afterwards Circuit Judge Earl Witt called the special grand jury session, urging the public to "let the due process of the law take its course." He said the prosecutor had promised "quick action."

Prosecutor Emory said today he presented to the grand jury signed statements of Austin and Rye in which they admitted the slaying. Austin, wounded in both legs in an alleged exchange of gunfire with McTigrit, said, Chief Wakelin reported, that Rye was not armed.

DANGER AHEAD

An all-white grand jury indicted a Negro for killing another in Arkansas hearing attorneys for the defendant last week. When the case came on for asked that the indictment be quashed upon the ground that no Negroes sat on the grand jury which returned the indictment.

The judge overruled the objection, but in an effort to conform to a recent ruling of the United States Supreme Court that a systematic exclusion of Negroes from juries violated the due process clause of the Constitution, ordered an all-Negro petit jury summoned to try the case. The all Negro jury was selected, hear dthe trial and found the defendant guilty as charged in the indictment.

On the surface this procedure looks to be alright but The Bystander thinks that it is loaded with dynamite. If an all-Negro jury can be put in service then somebody must have manipulated the jury list. If a jury list can be manipulated to get an all Negro jury, the list can be so manipulated to get an all any other class or race to serve. For instance had the murdered man been white, an all-white jury may have been selected. Such procedure is certainly contrary to our system of jurisprudence.

The result is that the decision of the Supreme Court is not being observed no matter who is on trial. The trial ought to go to the Supreme Court for review.

Negro Attorneys Win Death Stay For Client

LITTLE ROCK, ARK., Oct. 15.—(AP)—An appeal to the Supreme Court late today halted the scheduled execution at dawn Friday of James Austin, Jr., 21-year-old negro slayer of a Hot Springs night watchman.

Scipio Jones and J. R. Booker, negro attorneys, filed the appeal, explaining that they had just been retained in the case.

Justice Frank G. Smith granted the appeal and a stay of execution was telephoned to Tucker Prison Farm.

Austin was given the death penalty for shooting John McTigrit, merchant policeman, when the officer discovered Austin and Casteel Rye, 21, negro, robbing a store. Rye pleaded guilty to a murder charge last week and was sentenced to life imprisonment.

Slays Brother Who Took His Best Girl Out

HOT SPRINGS, Ark. — For the first time in the history of Arkansas, colored citizens have been included on the grand and petit jury lists in the circuit court.

The action grew out of a case in which James Austin and Castile Rye were charged with slaying John M. McTigrit, white. Judge Scipio A. Jones and John A. Hibbler, attorney, who represented Rye, filed a motion to quash the indictment against him on the grounds that colored people were barred from the jury which voted to hold Rye.

The judge upheld the contentions of Rye's attorneys and two colored persons were sworn in for jury service. Austin, who was defended by a white lawyer has been convicted and sentenced to the electric chair, his attorney having refused to ask that his indictment be quashed on the ground of exclusion of colored jurors.

Killings-1936

D.C.

Negro Being Quizzed In Woman's Murder

WASHINGTON, Sept. 18.—(AP)—Police investigating the bludgeon slaying of Mrs. Florence Goodwin, Government typist, said tonight that stains on the clothing of a negro janitor at Mrs. Goodwin's rooming house were human blood.

Chemical analysis of material found under the finger nails of the janitor, Carl D. Chase, 25, had not been completed, they said.

Without disclosing his identity, the investigators said also were seeking another person in connection with the case.

Chase, who reported he found the body of Mrs. Goodwin in her bed, remained in custody tonight.

District Commissioners Refuse To Permit Examination of Records in Police Killings

Civil Liberties Union Seeks Data on Number Of Negroes Slain by Police

40 KILLED HERE BY OFFICERS SINCE 1926

Organizations Plan to Take Matter to Congress For Investigation

Gardner Jackson, representing the Washington branch of the American Civil Liberties Union, was denied Monday a letter from the District Commissioners authorizing him to examine the coroner's records in the deaths of persons killed, either by policemen or special officers, since March, 1933.

Coroner Refuses Request

The denial was made on the recommendation of Elwood H. Seal, corporation counsel, who referred the request back to Coroner A. Magruder MacDanold. The coroner previously had denied Jackson access to the records without written authorization.

Jackson explained that the records are wanted "since we are midway in an analysis requiring these records which we believe is of immediate public importance."

Seal cited a number of court decisions in which similar requests for access to records was denied.

40 Killed Here

A recent investigation disclosed that 40 Negroes have been slain by policemen in the District since 1926. In each case the officer has been exonrated by a coroner's jury, although testimoney in several cases revealed that the victim was not armed or had merely committed a misdemeanor.

Washington was shocked, recently, when Vivian Landrum, a white policeman, fatally shot a young CCC boy for "loud talking" on the street. The coroner's jury freed the officer after a second hearing as the first hearing resulted in a hung jury. The second jury deliberated several hours and stated in its findings that the officer was suffering from a "mental process."

Leslie Garnett, U. S. District attorney, refused to present the case against the officer to the grand jury. Severeal local organizaions here are planning to take the case to the floor of Congress.

Killings-1936

Florida

Florida Negro Killed After Striking Woman

HIGH SPRINGS, FLA., Dec. 31.—(AP)—A negro who struck down a woman official in an attempt to rob the city hall was shot to death by a policeman who interrupted the holdup today.

The negro, listed as Lee Walker, entered the office of Miss Bonnie Collins, city clerk and treasurer, and struck her over the head with a wrench. Police Chief A. L. Burton, in an adjoining office, heard the blow, stepped into the room as the woman fell, and shot the negro.

3 FLORIDIANS FOUND GUILTY OF MURDER

BARTOW, Fla., Jan. 30.—(AP)—Hugh Riner, E. D. Tiser and Richard Grant, all of Bartow, were convicted of second degree murder by a circuit court jury here which tried them for the slaying of Jake Davitte during the robbery of a grocery store at Eagle Lake, Fla., last year.

They were not sentenced today, defense attorneys being given time to prepare motions for an appeal to the state supreme court. Under Florida law the men face prison terms of from 20 years to life.

Native Of City Is Found Slain

TAMPA, FLA., Jan. 24.—(AP)—Robert P. Fariss, 55, recently questioned in the flogging death of Joseph Shoemaker, was found dead in his automobile today.

The coroner, city, county and state officers agreed the death was suicide. Fariss' body was found reclining on the rear seat of the car, his head on a pillow. A piece of hose inserted in the exhaust pipe had been inducted into the body of the car through a vent.

The motor was silent and cold, with ignition switch on and fuel tank almost empty.

Fariss was a native of Montgomery, Ala., spent most of his life in Macon, Ga., and moved here in 1924. Survivors include two young children and the widow. A daughter by a former marriage lived in Atlanta. She is Miss Alice Ruth Fariss.

Mrs. Fariss said her husband retired late last night. She first reported him missing this morning. She said she found the body when she went for the car to take her children to school.

Fariss was secretary and treasurer of the Exchange Supply Company, an affiliate of the Florida Citrus Exchange.

Solicitor C. J. Hardee said he had questioned Fariss as to his whereabouts on the night of Nov. 30—the night of the flogging—and that he (Fariss) answered questions readily and gave a detailed account of his movements that night.

White Man Gets Life For Murder Of Negro

JACKSONVILLE, FLA., April 28.—(AP)—Herbert Barber, a white man, today was sentenced to life imprisonment in Florida State prison for the second degree murder of Ed Harris, a negro, here last Nov. 25.

Circuit Judge Miles W. Lewis denied Barber a new trial and took under advisement a motion that Barber's $10,000 bond be reduced pending an appeal to the State Supreme Court.

Alton Stacey, convicted on a manslaughter charge in the case, was sentenced to seven years in prison about a month ago. He and Barber were accused of killing the negro during an altercation at a garage.

Killing – 1936

Florida

'More Arrests In Next 24 Hours' Promised In Harder Murder Case

Frank Sewell and Nookie Stanford, negroes, who made verbal "confessions implicating others" soon after they were arrested as material witnesses in the mysterious murder of young Jack Harder, of St. Petersburg, Fla., repeated their confessions yesterday in the presence of officials, and signed, and swore to them after they had been placed in writing, at the Elmore County Jail in Wetumpka where they are now being held.

Young Harder's bullet-pierced body was found on a country road near Ozark last Spring.

The confessions yesterday were made before County Solicitor Crews Johnston of Barbour County, Sheriff Pitt Williams, Special Investigator John H. Linch, of the State Highway Patrol and Porter McKay, court stenographer who took down what the negroes said and later transcribed it for their signatures. "Their confessions were complete and very satisfactory," Mr. Linch said last night.

Pending further developments in the investigation of the case, no details regarding the confessions will be made public, it was announced. These further developments promise to be sensational, it was learned, and it is expected that additional arrests will be made within the next 24 hours.

The verbal confessions made by the negroes were followed by warrants charging murder, against Florence Carr, prosperous planter of the Elamville section of Barbour County, and Spurgeon Mooneyham, who is now serving a long term in a Florida prison for burglary. Carr is being held in the county jail at Clayton, and has already employed Sollie and Sollie, prominent Ozark attorneys, as counsel, it is understood.

It has been the theory of officers since investigation of the mysterious killing began, that young Harder was slain at a gaming establishment alleged to have been operated by Florence Carr at his Elamville plantation, and his body transported to the point in Dale County where it was found. Another angle being looked into is the possibility that Harder may have been shot in a quarrel over one or both of two girls said to have been among those present at the gambling place in Barbour on the night the young Floridian was killed.

It was learned yesterday that Special Investigators Linch and J. W. McClung of the Highway Patrol, who went to Barbour County last Friday to interview some witnesses who had not "talked." did not see either of the girls concerned, but found they had gone to another state. Their present place of residence is known, however, it is understood, and they will be contacted within the next few days. Officers will also proceed at once to the Florida prison where Mooneyham is confined, to question him, it was stated.

Ben Reeves, another negro arrested Saturday as a material witness was released yesterday when officers after questioning him decided he knew nothing of the crime. Reeves, with Frank Sewell and Nookie Stanford, was formerly employed by Carr on his plantation.

Murder Laid To Girl's 'Defender'

GAINESVILLE, FLA., Dec. 7.—(AP)—A former town marshal at first hailed as the defender of a pretty municipal clerk and then accused of killing both her and the negro he said attacked her pleaded innocent to the dual slaying charge as he went to trial today.

Most of the day's court session was occupied with opening formalities and selection of a 12-man jury to try the marshal, A. L. Burton, former police chief at Little High Springs and planter.

Burton, indicted on charges of killing Miss Bonnie Collins, town clerk, and Lee Walker, a negro, said he entered the municipal hall, Dec. 31, 1935, just as the negro struck the young woman over the head with a wrench and turned to rob the town safe.

The former officer said he shot the negro to death on the spot. No money was taken.

Miss Collins died several days later without making a statement. A coroner's jury held Burton killed the negro in line of duty after the latter had fatally wounded Miss Collins.

A secret investigation followed by Sheriff J. P. Ramsey, of Alachua County, and W. H. Gasque, special investigator assigned by Gov. Dave Sholtz. The Grand Jury indicted Burton for both slayings.

Police Chief Convicted In 'Negro-Did-It' Case

12-19-36 Norfolk, Va.

GAINESVILLE, Fla., (ANP)—The timeworn custom of 'blaming it on the Negro' proved a total failure in a court here this week as A. L. Burton, white former chief of police, heard himself convicted of first degree murder in connection with the death some time ago of a white woman and a Negro. The mandatory sentence is death for the murderer.

Burton had attempted to use the defense that he saw Lee Walker, colored, attacking the white woman and killed him. Once before he had been released on this statement, but subsequent investigations brought to light the fact that there had been ill-feeling between the former police official and the woman for some time, and that the Negro had been in no way involved in the murder. The coroner's jury at first gleefully accused the dead and innocent Negro of killing the woman, and used the customary whitewash that Burton had killed Walker "in the performance of his duty.'

His conviction marked the third time a white man had been convicted of killing a Negro in the past few weeks in Florida.

Killings - 1936
6

General

BIRMINGHAM, ALA.
POST

JUL 16 1936

Must We Kill?

Several weeks ago in Tennessee an aged Negro and his sister who refused to be evicted from land they had lost through foreclosure defied the law. Writs, processes and court orders they could not understand. Some questioned their sanity. At any rate their faulty powers of comprehension led them to distrust all human beings save one—a member of their own race who used to take groceries to them and make their other small purchases.

Repeated warnings were to no avail. At length came the day of eviction. Barricaded behind their door, the befuddled pair opened fire. One officer was killed.

Guns silenced, the officers completed their mission. The two were buried in a corner of the plot for which they paid their lives.

Yesterday Birmingham witnessed a sequel to the above story. Again a Negro who defied eviction and had boasted he would never be taken from his house alive. He leveled his gun at officers who came to carry out a justice of peace order and fell before he had an opportunity to press the trigger.

Officially the killing was held justifiable. Technically perhaps the coroner's verdict was right. Had the officer not fired when he did, perhaps he too would be dead today.

But are such killings necessary?

Forewarned of likely trouble, is it not asking too much of an officer to require him to walk into the face of death behind a barricaded door?

How far does the responsibility of an officer go as a public protector? Is it not just as much his duty to protect a misguided Negro against himself as to serve an eviction order to gain possession of a piece of property.

We note the finding of Communist literature in the house—as an extenuating circumstance, perhaps. But are we ourselves by such procedure not guilty of preparing the soil and making it fertile for the seeds of Communism?

It would have taken more time. It would have required patience — ingenuity, perhaps—but there are officers in Jefferson County who could have taken possession of Tillman Kellum's house without killing him.

Killings-1936

Georgia.

Report Confession In Clark Slaying; Holding Johnson

Daily World 11-17-36 Atlanta, Ga

Charlie Johnson of the rear of 359 Pulliam street, admitted to Detectives Leo Nahlik and M. M. Coppenger early Monday that he shot and fatally wounded Elmer Clark, 28-year-old man of the rear of 627 Washington street, SW.

Johnson was run down and nabbed Monday morning on Butler street by four brothers of the homicide victim. Eunice, an eyewitness to the killing, John, and the other brothers whose names were not obtained, gave chase after the confessed slayer when they saw him pass Grady Hospital.

111

City Detectives Acrea and Tyson were cruising by when the brothers caught Johnson. They made the arrest and carried the slayer to the police station and turned him over to Detectives Nahlik and Coppenger who were assigned to the case Saturday.

Clark was shot in the stomach Saturday night at the home of Johnson. He was removed from the house to Grady hospital and admitted for observation. He died Monday morning.

Detective Nahlik said Johnson claimed he shot Clark in self-defense. The brothers gave a different version.

According to information gathered by the detective, Clark, who had been serving time on the chaingang, was released about a week ago. On leaving prison he learned that his wife was living with Charlie Johnson.

Saturday night, Clark and his brothers went to the home of Johnson. He remained outside while his brothers went in and bought some whiskey from Johnson. Later, Johnson came to the door and asked Clark to come in and have a drink. They drank about a half pint of a liquor. An argument followed and Johnson shot the victim.

The wife of the dead man is being held in jail, pending Johnson's indictment by the grand jury.

The death of Clark marked the 111th colored homicide in Atlanta this year and the third consecutive slaying since Saturday. The shooting of William Dupree by a policeman Saturday and the killing of John W. Mitchell of a Richmond street address early Sunday pushed the homicide toll to its current total.

NEWSOME IS FATALLY KNIFED

Daily World 11-18-36

Atlanta Ga.

Weapon Penetrates Abdomen; Passes Near Heart

11-18-36

SEEK "LINDSEY"

Another colored homicide was reported Tuesday to the Atlanta Police Department, moving the total for the year to 112. Last year this time the homicide toll was 107.

Jesse Newsome, 27, of 215 Dunlap street, NE, stabbed at 9:30 o'clock on the night of November 15, goes on record as the 112th homicide victim. Stabbed in the left side of his abdomen with a knife near the corner of Fort street and Highland avenue, the victim was carried to the Georgia Baptist hospital, white, at his own request.

112

Newsome said he was employed at the hospital and that doctors there would attend him. A person whose name was not obtained, rushed the wounded man to the hospital.

Investigating officers in their report to the Chief of Police, said Newsome was not treated at the white hospital, but was sent to Grady where he was admitted. He died late Monday night.

Detectives are seeking a man known as Jasper Lindsey, accused by the victim as the man who slashed his abdomen.

An account of the stabbing and death of Newsome was depicted to officers Tuesday morning by George Bibbs, who is reported to have talked to the officers at the home of the deceased.

GRAND JURY INDICTS TWO FOR MURDER

The grand jury indicted two men Friday on murder charges, holding James Wright for slaying on November 15, Clyde E. Pugh, white, and Charlie Johnson for fatally shooting on November 15, Elmer Clarke.

Atlanta Daily World 11-21-36

Wright confessed Monday to Detectives Nahlik and Copenger, but insisted that the shooting of Pugh was a mistake in identity. The bullet that killed the white man was intended for Floyd (Slim) Colvin, of a Vine street address, the slayer is reported to have told investigating officers.

Charlie Johnson who is alleged to have been living with the wife of Elmer Clarke while Clarke was serving time on the chain gang, was reported to have shot the victim about a week after he was released from prison.

Atlanta Ga

Johnson was run down and captured on Butler street last Monday morning by four brothers of Clarke.

Two persons indicted on attempted murder charges were John Linton for attempting the life of Louise Linton with an axe, and Mozelle Jackson for stabbing Will White.

Others indicted were Celester Thomas, Annie Ruth Wright, Lillie Kelley, burglary; Charles Solomon, robbery.

Ed Dunn was indicted on pistol and attempted murder charges for shooting at Louise Holmes.

14-YEAR-OLD BOY HEARS FATE

Daily World

Maximum Sentence Of 20 Years Is Given Charles Mills

11-14-36

MOTHER WEEPS

By ROBERT M. RATCLIFFE

Twenty minutes behind closed doors Friday afternoon was long enough for a superior court jury to find a child guilty of manslaughter and sentence him to prison for 20 years.

Atlanta Ga

The sentence carries the maximum number of years for the crime. The verdict read. "We find the defendant guilty on a charge of manslaughter and sentence him to prison for not less than 20 years and not more than 20 years."

A death-like silence grippe Judge James Davis' courtroom when 14-year-old Charles Mills of 926 Martin street was notified of his fate. A quiver passed over the body of the youthful defendant who was an eighth grade student at the David T. Howard school at the time he was arrested for fatally stabbing a white boy, Wayne Dennard, 15, of 584 Capitol Avenue, SW.

Friends of the diminutive Charles who knew him as a member of the Allen Temple AME church and a Boy Scout at the troop recently organized at the Reed Street Baptist church, crowded around the rail to offer kind words before a sheriff escorted him to an elevator.

Mrs. Marion Ellis Mills, mother of Charles and a younger son, John, 12, shed a few tears after her boy had been carried from the court room. Her only utterance was, "My child."

Daily World

Mrs. Mills, employed as a WPA worker at the project on the Morris Brown College campus, sat at the side of her son throughout the trial which opened Thursday morning.

Attorney William Schley Howard, his son, W. S. Howard, Jr., and another member of his law firm, defense representatives in the case, filed a motion for a new trial a few moments following the jury's verdict.

11-14-36

"Now, Marion, you must be brave," Attorney Howard said, addressing Mrs. Mills. "I am going to stick by you as long as there is hope, whether you have a penny or not.

Atlanta Ga

"Odds are against you. But, there is a God above, and when there is a God, there is bound to be justice" the lawyer declared.

Attorney Howard and his associates were disappointed in the outcome of the case. "There was no reason for that sentence," he said. "What evidence did they have to prove this boy guilty?"

Several officials of the court in open conversation admitted that

"It is mighty hard to see a child get 20 years in prison." But the same officials were of the opinion that Charles Mills would have been sentenced to die in the electric chair had he been 16 years old or over.

The Georgia law says that a person, 14 years or over is responsible for his action. Attorney Howard made a motion Thursday morning to have the trial held in the Juvenile division, but was overruled by Judge Davis who upheld Assistant Solicitor Andrews on the grounds that no provision is made for murder in Juvenile court.

The case was believed by several county authorities to be the first of its kind ever held in the state of Georgia.

If juvenile rules are followed and Charles Mills is forced to serve his sentence, he will probably remain in the State Detention Home until he becomes 16 years of age' After that he will be sent to the chain-gang to remain until he becomes 34 years old. This was the opinion of the courthouse officials and the defense attorneys.

Waynne Dennard was stabbed on the night of July 25, in front of a grocery store located on Capitol Avenue. The white boy, who was employed at the store as a delivery boy, was reported dead on arrival at the Piedmont hospital. Testimony revealed that he was stabbed near the heart with a pocket knife.

Arrested at his home a few minutes after the stabbing, Charles Mills in the presence of his mother, admitted to Radio Patrolmen J H. Parham and J. T. Malcom that he cut the white boy. The young boy was carried to the Police Station and turned over to Detectives Nahilk and Coppenger. Later, the child was carried to the Juvenile Detention Home.

Charles was sitting on the front steps of his home when the officers arrived. The knife that caused the white boy's death was given the officers at the time the boy was arrested.

Selection of a jury, suitable to both state and defense, delayed opening of the trial Thursday morning. All panels were exhausted when the 12th man for the jury was accepted.

Testimony as given by the state's witnesses and Charles Mills, who incidentally was the only witness for the defense, was completed by 2:30 o'clock Thursday afternoon. Court adjourned immediately after Attorney William Schley Howard, Jr., presented the first argument for the defendant.

Testimony from Harry Bickers, Ralph Dennard, brother of the deceased, a man known as St. John, Roy Edwards and J. E. Garmon, all white, failed to tally. Bickers said Charles walked up to Waynne Dennard, and without a word of warning, stabbed the white boy and ran. Bickers declared that John Mills, brother of Charles, was not in front of the store when the stabbing took place.

Ralph Dennard declared that Charles, after getting some scraps of meat from the butcher, walked out of the store, his open knife in his hand, and stabbed Waynne. Ralph said Bickers was not in front of the store when Wayne was cut.

The white man known as St. John, wh osaid he was a housekeeper for a relative at the time of the fatal stabbing, claims he passed in front of the store and heard a much larger colored boy tell Charles Mills, "You ought to kill the s——" St. John said he walked about eight blocks and got back just in time to see the crowd gathered around the store. He said Charles had fled and the injured boy carried to the hospital when he returned.

Other witnesses denied having seen St. John on the night of the killing. St. John also insisted that only one window is in front of the grocery store, but Ralph Dennard, a clerk at the store, declared there are two front windows there.

On the stand in his own defense, Charles Mills said: "Waynne hit me in the mouth and knocked me down when I came out out of the store on the night of July 25. I cut him, but I didn't mean to do it. Waynne and some other white boys had been bothering me every time they saw me."

Assistant Solicitor Andrews in his argument to the jury asked the chair for the defendant. He stressed the fact that the mother of the dead boy had been "robbed of her child."

Attorney Schley Howard, Sr., was masterful in the closing argument for the defense. His son presented the opening argument Thursday afternoon.

NEGRO IS INDICTED IN ROBERTS KILLING

Constitution

Motorman's Story of Passenger With Sawed-Off Shotgun Is Disclosed.

11-11-36

A negro man was indicted yesterday for the murder nearly a year ago of J. R. Roberts, Atlanta tea salesman, who was shot to death in the yard of his Fourth street residence December 17, 1935. Mayfield Turner, who has been held by city detectives since September, was named.

Officers said Turner's arrest and indictment resulted from circumstantial evidence which they had gathered in nearly a year of investigation.

Roberts was fatally wounded as he parked his car in the garage at the rear of his home, police said. He staggered to the back door and was admitted to the house by a member of his family who had heard the sound of the shot. The salesman died in the kitchen without telling what had occurred.

Though detectives would not reveal all their evidence, it was learned a street car motorman identified Turner as a man he saw in his street car early last January. The motorman told police the negro rode to the end of the Ponce de Leon avenue line and that while he changed the trolley he saw the negro get off and pick up a sawed-off shotgun from a hiding place in the bushes nearby.

The negro boarded the car again and the motorman took the weapon away from him, detectives related. The motorman called for the police when he reached the nearest supervisor on the Ponce de Leon line, but the negro leaped from the car and fled. Detectives retained the shotgun. They said yesterday they had found shotgun shells in Turner's home which are of the same type used in the sawed-off gun.

The negro admitted he was the man seen on the street car, but denied knowledge of the murder of Roberts, it was said. The detectives declared he told them conflicting stories about the shotgun.

WORTHY CONVICTED IN DODSON KILLING

Constitution

Negro Sentenced To Die in Electric Chair on January 29

James Worthy, negro, was found guilty of the murder of Henry C. Dodson, street car motorman, by a Fulton superior court jury last night after three hours of deliberation. Judge John D. Humphries immediately sentenced him to be electrocuted January 29.

Defense attorneys filed a motion for a new trial.

Worthy was accused of murdering the street car operator at the end of the Magnolia carline, firing through a closed door. He was arrested later at Griffin. The state produced two witnesses who swore they saw the murder committed and that Worthy fitted the description of the man who did the shooting.

The state was represented by Solicitor General John Boykin and Assistant Solicitor E. E. Andrews. Herman Talmadge, son of the Governor, Carl Levy, and S. Crespi were appointed by the court to defend Worthy.

2 NEGROES SLAIN; SUSPECTS JAILED

Constitution

Race Homicide Toll Is Increased to 116 in City This Year

12-29-36

The 116th negro homicide in Atlant this year was recorded last night when a negro identified as James Cunningham, 50, of 94 1-2 Decatur street, was stabbed to death with a knife in front of a saloon at 82 Decatur street.

Police arrested Rozena Kearse, 34, negro, on a charge of suspicion of murder.

Sam Green, 42, of 270 Ellis street, who was injured Sunday night during a brawl, died last night in Grady hospital. Police reported he was struck on the head with a brick by Joe Brown, 26, of 268 Ellis street, who told officers he was acting in the role of peacemaker. He was charged with suspicion of murder.

Killings - 1936

Georgia.

Homicides Up To 109

Argument Over Beer, Cause

Reported to have been shot by Victor Petroulas, 45, Greek operator of an establishment at the corner of Fraser and Rawson Streets, a man identified as John W. Mitchell of 120 Richmond Street, was pronounced dead upon arrival at Grady Clinic after being rushed there in a Pollard Funeral Home Ambulance.

According to police records, Mitchell is said to have entered Petroulas' place around 1:45 o'clock Sunday morning and asked for a bottle of beer. When Petroulas refused to sell him, Mitchell, incensed at the Greek's action, is reported to have told him that if he didn't sell him a drink that he was not going to sell anybody anything.

109

A few minutes later Wintfield Swinger of 402 Fraser Steret entered the place and asked for a sandwich, which Petroulas began fixing. Then Mitchell is alleged to have hurled a bottle at Petroulas and then started advancing towards Petroulas with a knife, whereupon Petroulas is said to have picked up a revolver and fired twice, striking Michell behind his left ear. One of the bullets struck Swinger in the shoulder.

A Pollard ambulance was summoned and Mitchell was rushed to Grady clinic while Swniger was carried to the clinic in a passing cab. After benig given emergency treatment Swinger was dimissed and the body of Mitchell was turned over to the Pollard Funeral Home.

Jake Reynolds of 65 Rawson St., Henry Frank Potts of 410 Fraser Street and Nick Danik of 127 Atlanta Avenue were listed as eyewitnesses to the shooting according to police reports. No case has has been booked against Petroulas.

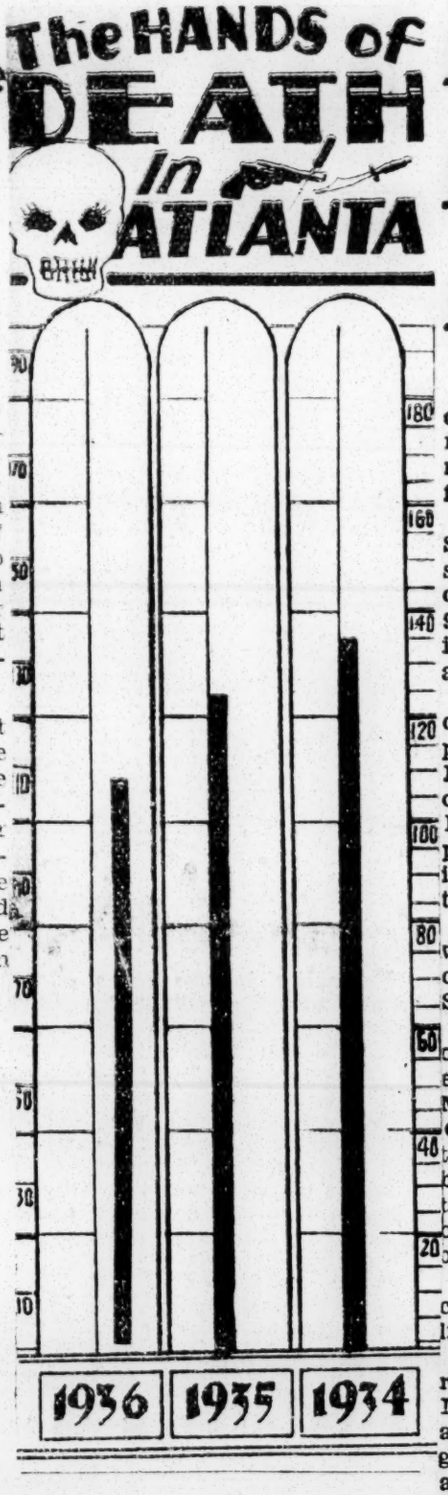
Elmer Clark of the rear of 627 Washington Street was rushed to the Grady Hospital where he was found to be in a serious condition, suffering from a gunshort wound of the stomach.

According to police records the wounded man was shot by Charlie Johnson of the rear of 359 Pulliam Street and the shooting occurred in front of Johnson's residence.

A man who gave his name as Alex Weaver was arrested at 536 Lambert Street and booked at police headquarters on a charge of suspicion of "stabbing." Weaver is reported to have slashed Will Ruth of 516 Lambert Street during an argument.

Police are seeking Joe Hicks who is said to have been employed at the Gate City Coal Company at 387 Decatur Street, in connection with an alleged assault on Annie Mae Arnold at 387 Hardin Street. According to police records the woman stated that Hicks came to her house and jumped on her and beat and threatened her with a shotgun.

Mansfield Warner of 759 Pollant Street asked police to make a case against a woman whose name he did not know on a charge of attacking him with a razor. Warner stated that he and his wife stopped in an establishment at the corner of Decatur and Courtland Street and went in the back of the place. The woman slashed him on the arm.



Fate Of Two Hangs In Balance Today In Fulton Courts

The fate of two colored men, charged with the killing of as many white persons in recent months, may be known by nightfall.

James Wright, 42, of 955 Frank Street, SW, on trial for the fatal shooting of Clyde E. Pugh, was center of attraction Thursday from 9 A. M. until 5 P. M. in the Superior Criminal court of Judge Howard.

During the same hours in the courtroom of Superior Judge Humphreys, James Worthy, alias "John Mann," alias "James Tyson," occupied the defendant's chair and heard testimony that tended to prove and disprove his innocence in the slaying of a street car motorman, Berry C. Dodson.

Clyde Pugh died from a bullet wound of his temple on the night of November 15, at 955 Frank St SW, testimony showed.

Berry C. Dodson was found dead on the floor of a street car at the end of the line, near Griffin and Magnolia streets, on the night of October 10. Investigating detectives said a hole, which could have been caused by a slug from a pistol, was noticed in a glass located on the left side of the front end of the street car.

Dodson was operator of street car number 202 of the Magnolia line.

Testimony in both cases will be resumed this morning at 9 o'clock. It is believed defense and state attorneys will complete their arguments to the jury early in the afternoon.

Solicitor Boykins is prosecuting for the State at the trial of James Worthy. Assistant Andrews is aiding him and may deliver the closing argument.

Assistant Solicitor Quincy Arnold is representing the State at the trial of James Wright. Reuben A. Garland is attorney for the defendant.

Both Worthy and Wright entered pleas of not guilty.

Witnesses failed to identify Worthy as the slayer of the street car motorman. A tenth grade student at Booker T. Washington High School, Anna Clements of 158 Griffin street, NW, declared she saw a man, attired in sweater and overalls, run after the shot was fired, but did not see his face.

Defense Attorney Garland put a surprise witness on the stand late in the afternoon. He was a 17-year-old boy who said he had on one occasion served 30 days on the chaingang for a coal stealing charge.

The youth declared he heard shots coming from the kitchen of James Wright's home at the time Pugh and Floyd Colvin, owner of a barbecue stand, were alone in the back room.

Previous testimony showed that Pugh was killed by mistake when Wright thought he was shooting at Colvin.

On the stand, Colvin admitted he hit Wright with a brick when the defendant committed a nuisance on some of his barbecue, but declared Wright fired from the outside of the house, fatally wounding the victim.

Killings-1936

Georgia.

PREVIOUS FATALITIES OF WOMEN ON LONELY ROADS AT NIGHT TOLD

W. T. Anderson Recalls Killing of Two of His Friends Under Circumstances Similar to Those When Girl Was Killed Thursday Night on Clinton Road

Referring to the accidental killing of the young white woman on the Clinton road Thursday night by W. C. McMasters, of Macon, W. T. Anderson, Macon newspaper publisher, last night told of an experience he and Ray Carter, hardware merchant, had out in that vicinity on the night of Sept. 23.

Mr. Anderson said he and Mr. Carter were returning from a visit to Mr. and Mrs. Orville A. Park, at their new home near Clinton, at 11:30 o'clock at night. About one mile from the Park home, toward Macon, they passed a young white woman who was walking along the right-hand side of the pavement. She did not turn around to face the car, but merely stuck out her left hand and called, "Hello, there!" as they went by.

Observing that she had no companion, nor was there a car or house or light in sight, Mr. Anderson suggested to Mr. Carter that it was exceedingly dangerous for a white girl to be out on the country road alone at that time of night, and that they ought to pick her up as an act of humanity.

The car was stopped about 200 yards further on, and the girl came up, walking slowly, and complaining that her feet were hurting her awfully. She readily accepted an invitation to ride. Upon being asked what she was doing out on the road alone at that time of night, she stated that she had been in a filling station tourist camp "back down the road there, where a whole lot of men were playing poker for 15 cents a hand, and the fellows she went out with wouldn't bring her back to town, so she walked out on them." She stated that she was trying to walk to a telephone somewhere and phone for a taxi cab.

Taking Big Risk

She was told that she was five or six miles from a phone, and that she was taking a great risk in walking on the road alone late at night. Mr. Anderson told her of two women friends of his who had been murdered under similar circumstances several years ago. One of these was Mrs. Eugenia Pottle, who lived six miles out on the Dame's Ferry road, from Lowe's store, on the east side of the river. The other was Mrs. W. M. Bairman, who was murdered near the Winship place about three miles from Macon, on the River road. Mrs. Bairman was accustomed to taking long walks, unaccompanied, up this River road late in the afternoons, and despite protests and warnings from her friends, she persisted, and met a foul death.

Mrs. Pottle had come to Macon on Saturday with some Negro neighbors on their wagon, and, failing to keep her appointment for the return trip, they had left her in town. Although it was after dark when she discovered she had been left in town, she started to walk the six miles to her home, where she lived alone.

Several weeks later her neighbors discovered her disappearance and sounded an alarm. Some one a little later discovered her body in the Ocmulgee river, near the Spring street bridge.

Then it developed that she had applied for lodging at a Negro house on the road to her home, stating that she was cold and wet, and that a Negro whose name she called was following her, and that she was afraid he meant to do her harm. The Negroes where she applied for shelter were afraid they might get into trouble housing a white woman, and told her they couldn't take her in. When her body was discovered in the river these Negroes told the story of her coming to their house and what she had said about who was following her.

Murderer Caught

It was learned that the Negro she named had overtaken her and killed her, and then had carried her body on his shoulders for a distance of about three miles, across plowed fields and through the woods, to the river, into which he threw it. He was convicted and hanged for the crime.

The telling of the story of these two murders to this girl picked up by Mr. Carter and Mr. Anderson did not make much impression upon her, according to Mr. Anderson. She gave her name as Sara Sanders, and spoke of her mother living on Washington avenue. She was about 5 feet 6 inches tall was a blonde with short hair, weight about 130 pounds, wore a large ring on her left hand, had on a plaid dress with red collar, no hat. Age about 20. She left Mr. Anderson and Mr. Carter at the Terminal station and took a taxicab.

The description of the girl run over by Mr. McMasters Thursday night tallied so closely with that of the girl brought in by Mr. Carter and Mr. Anderson from the same vicinity the week before that they thought it must have been the same girl. Everything tallied but the names.

GOLF BET IS BLAMED FOR SLAYING

By *ROBERT M. RATCLIFFE*

Mercury in the homicide thermometer for colored Atlanta neared the century mark during the weekend. The death of Fred Phillips, 25, of a Chappell Street address, pushed the total to 99, two more than the number reported killed by means of violence this time last year.

99

Police officials and hospital attendants Sunday night predicted another homicidal death by nightfall. It was feared that Mrs. Louise Fielder, shot by her husband at 541 West Hunter Street, would die. Her condition at Grady Hospital was pronounced as "very poor."

After shooting his wife, Jack Fielder, 28, of Rome, fired a bullet into his heart and killed himself. He was dead on arrival at Grady.

Police said Fielder used a .32 calibre pistol. The shooting took place at the home of his estranged wife's cousin, Mrs. Oyeralue O'Neil, 541 West Hunter street.

The 26-year old wife, who was admitted to the hospital in a critical condition, was shot thee times in the neck and shoulder.

Detective Dick Englebert Sunday night was seeking a man known by the name of "Levi" for the fatal stabbing of Fred Phillips.

The officer explained that the two men had engaged in a golf game at a three-hole golf course located near Chappell and Ellis and that Phillips was attacked when he refused to pay a ten-cents bet.

Phillips took several steps after he had been cut about the neck and fell, witnesses told investigating officers. His body is being held at the Thompkins' Funeral home.

Hold Three White Georgians in Death

Woman Cut To Death

Man Slashes Her Throat At A HALLOWE'EN PARTY

Assailant Then Escapes In Darkness

Mrs. Lula Mimms, 413 Taylor street, west, was cut to death by a man whose name could not be ascertained by our reporter and who is still at large. The tragedy took place at a Hallowe'en party at 415 Taylor street, west, Saturday night about midnight. When her throat was slashed, she ran out and died on the sidewalk. Her husband, a railroad man, was cut on his run at the time of the incident.

The dead woman was among those masked, being dressed in overalls and a cap.

At the coroner's inquest Tuesday, it was brought out that just a little prior to the fatal stabbing, the dead woman became involved in an argument with another woman in which the two passed several blows and in which the dead woman is said to have drawn a knife and attempted to cut her assailant. The knife was taken from the woman by a man, and the party went merrily on for a half hour before the killing.

A woman witness at the inquest stated that she saw a tall dark man, dressed in overalls and with a cut on his left arm go over to the woman who was killed, pull out a knife and stab her in the neck. She said he then ran out of the house and escaped.

A suspect held for investigation at the inquest was released.

She was a native of Allendale, S. C., but had lived here about 13 years. Her body was taken there for interment.

She is survived by her husband, Henry Mimms; mother Mrs. Sallie Warner, of Allendale, S. C.; daughter, Mrs. Josephine Baxley of Millhaven and Mrs. Hattie Warner of this city; three brothers, King and Jesse Warner of Millhaven and Julian Warner of Allendale.

Of Negro Youth

MACON, Ga., Oct. 29.—(ANP)—Charged with the murder of Cecil Hollis, 24-year old youth of Lizella, Ga., three white men, Jack Ramsey, 26; Prentice Tucker, 22; and John Hutto, 20, were arrested last week by deputies on murder warrants sworn out by L. O. Hollis, father of the dead man.

On October 10, Ramsey, one of those arrested, reported to city detectives that Hollis disappeared when a boat overturned with them in the Ocmulgee river near Macon. Ramsey also faces a previous murder charge conected with another Negro, Isom Denmark, who died as a result of an auto wreck climaxing a chase with police. The white man was tried here last June, a mistrial declared, and the prisoner later released under bond.

The body of young Hollis has not been recovered. Deputies went to the site of the alleged drowning and reported residents had dynamited the river in vain in efforts to find the body. Other deputies arrested Hutto at his garage and the other two gave themselves up at headquarters. All denied the murder.

Police Officials Discuss Negro Homicides

The high homicide record among colored people in Atlanta is "awful" in the opinion of L. P. Jones, calendar clerk at the court house.

Approaching an Atlanta Daily WORLD representative Wednesday afternoon, he said:

"Why don't you write about the way your people are killing each other?

"There are 24 persons in Fulton Tower now to be tried for murder and only two of them are white.

"It's awful the way these colored folk kill each other. Why, pretty soon, there won't be anybody in your race.

"Something ought to be done about it. Seems as though your preachers would make an effort to curb crime among the Negroes in Atlanta."

Officers Dick Englebert, crack detective, who heard the statements of Mr. Jones, volunteered the information that he has worked on 98 per cent of the colored homicides reported this year.

To date, 105 colored persons have died this year by the homicide route. The current total is eight more than the record last year this time.

HOMICIDES UP TO 105

The almost instant death of Carwell O'Neal of 278 Fair Street, N. E., last Saturday night moved the colored homicide total to 105.

105

Police reported that the man was stabbed in the chest, his attacker escaping. The Haugabrooks Funeral Home is in charge of the body.

Helen Johnson of an Auburn Avenue address was admitted to Grady Hospital in a serious condition. She was reported stabbed late last night.

Others admitted during the day to be treated for serious wounds were Will Patrick, 22, of 402 Chapel St., and Clifford Steers, 29, of 485 Berkle Street.

WATCHMAN IS SLAIN; CRIME LAID TO NEGRO

Carl V. Ashley Is Found Dead on Rawson Street; Trail Leads to Alley

Carl V. Ashley, night watchman for the Globe Union Manufacturing Comuany, who was found at 5 o'clock yesterday morning stabbed to death on the sidewalk in front of 31 Rawson street, S. W., was killed by a negro during an altercation, it was reported last night by Detective A. D. Poole, assigned with Detectiv D. L. Taylor to the case.

An inquest has been set for 10:30 o'clock this morning at the mortuary of J. Austin Dillon, where the body was removed.

His jugular vein severed, Ashley's lifeless body was found by Radio Patrolmen W. J. Smith and R. B. Paschall, who had been called to the scene by an unidentified negro youth who told the officers that he had been instructed to call them by a newspaper carrier.

Police discounted the theory of robbery when a dollar bill and 36 cents in change, a pocketknife and other personal effects were found untouched.

Ashley was apparently slain without a struggle, officers said. His clothing was not sufficiently disarranged to indicate that any scuffle had taken place. Police trailed blood from where the body was found to in front of a negro residence on a dirt alley near Rawson street.

The slain man was identified by his son-in-law, D. A. Turner, of 683 Durant place, N. E.

Officials of the manufacturing company which employed Ashley said that he was due to report for work at 1 o'clock yesterday morning, but declared that he had not done so. Doctors expressed the opinion he had been dead for several hours when the body was discovered.

Survivors beside his son-in-law include his daughter, Mrs. D. A. Turner, and another daughter, Mrs. George Miller, of Huntington Park, California.

Funeral arrangements will be announced by J. Austin Dillon.

Killings-1936

Georgia.

WHITE MAN SLAIN IN MYSTERY FIGHT AS WOMEN WATCH

Constitution

All Victims Are Stabbed; Police Probe Death on West Peachtree Place; Companion Questioned, Unable To Give Cause.

5-11-31

"SCARFACE" ROW ENDS IN DEATH

Atlanta, Ga.

Insurance Angle Investigated in Negro's Death; Grady Kept Busy Caring for Wounded Scrappers.

An almost unprecedented wave of violence, murder and assault swept Atlanta over the week-end, with maddened killers taking a toll of four lives. A number of other victims of stab and gunshot wounds were admitted for treatment at Grady hospital.

Officers were kept busy during the early morning hours yesterday as call after call was sent out over the police radio system telling of additional assaults.

Johnnie Jenkins, 37-year-old white man, was found with his head and body literally covered with stab wounds shortly before 2 o'clock yesterday morning on West Peachtree place near Lovejoy street. He was pronounced dead on arrival at Grady hospital. Investigation showed he had received a wound of the scalp, three stab wounds in his left cheek, eight in the chest and abdomen, a bad gash in his right arm and a battering blow in the mouth. He lived at 345 Fowler street, N. E.

Slayer Flees.

Patrolmen W. E. Whitten and R. E. Finley reported they found Jenkins lying in the street in front of 185 West Peachtree place. Two eyewitnesses to the assault, Mrs. Ruby Shell and Mrs. Lessie Teeling, both of 186 West Peachtree place, told officers they saw a "tall, slender negro" scuffling with Jenkins. They said the negro knocked Jenkins down and then appeared to be beating him. The assailant escaped between two nearby houses following the fight, they reported.

The witnesses also said they heard three shots fired during the fight. The officers reported they found a .32-caliber revolver about 15 feet from Jenkins' body. The gun was later identifed as Jenkins' by his wife. A long switch-blade knife, with its blade bent and bloody, was found underneath the body of the victim.

W. H. Lane, 37, of 346 Luckie street, said he believed to have been a companion of Jenkins Saturday night, was held yesterday at police headquarters as officers probed the slaying. Lane told the officers, they reported, that he and Jenkins had left Jenkins' house a short time before the fight occurred, but that they had been drinking heavily and he did not remember what had happened.

Trail of Blood.

A police call shortly after midnight yesterday sent Radio Patrolmen M. B. Moss and E. P. Roberts to investigate a stabbing in the 1000 block of Gordon street, and Howard Kilgore, of 689 Lawton street, who said they saw a negro man and woman running up the street, the negro man bleeding profusely.

Following the trail of blood for several blocks, the policemen found a negro dying of stab wounds in the rear of 1132 Oglethorpe avenue. He was identifed by police as Ed Taylor, alias Reuben Washington, 45. He was suffering from a slash in his throat which reached almost from ear to ear and numerous stab wounds over the body and legs.

The negro died at Grady hospital at 9 o'clock yesterday morning.

The patrolmen took into custody Mabel Tuggle, negro woman, who lives in the rear of a residence in the 1000 block of Gordon street. Blood and marks of violence were found in her home. According to the officers, the woman said the stabbing had been done by her husband, Bud Tuggle.

Took Out Insurance.

Mrs. W. H. Bradley, 1132 Oglethorpe avenue, told investigating officers that Taylor lived in the rear of her home and that he recently had taken out an insurance policy naming the Tuggle woman as beneficiary.

Another death occurred early yesterday morning as the result of an argument said to have been over the date of the showing of a motion picture here. Lillie Mae Passmore, 16-year-old negro girl, of 147 Cain street, was stabbed repeatedly about the body, according to police, by her uncle, Clarence Hudson, also 16, of the same address. The picture was "Scarface."

Arrested by Patrolman C. W. Cartwright shortly after 1 o'clock this morning when he brought his niece to Grady hospital, Hudson told investigating detectives, Bill Holland and E. I. Hildebrand, that he stabbed his niece when an argument became heated over the date of the showing of the picture at a negro theater, the detectives reported.

The girl died at 2 o'clock yesterday afternoon.

Girl Relates Killing.

A fourth stabbing victim, Sallie Mae Goodson, 34, negro, of 821 Blackgum street, was found dead on the floor of her home early yesterday morning. Officers I. W. Belcher and J. L. Pope reported they were told by Lizzie Goodson, 13, oldest of the woman's eight children, that the woman's husband, Will Goodson, came home drinking heavily and called his wife into another room.

Screams followed, the girl said, and she found her mother lying on the floor badly stabbed. She was pronounced dead on arrival at Grady hospital and investigation showed she had suffered numerous stab wounds about the head, body and legs. One knife thrust, entering her neck below the left ear, severed the jugular vein and disjointed the neck, according to undertakers.

Goodson was taken into custody last night by Detectives Holland and Hildebrand when they located him at 303 Walker street. The detectives said they learned Goodson had taken two insurance policies on his wife to Mary Ann Pritchett, of 817 Blackgum street, and told her to take care of them, adding that he was going to kill his wife.

The detectives also said they learned that Goodson beat his wife badly Friday night. They declared the 33-year-old 217-pound negro admitted slaying his wife, saying he did it because she had mistreated him.

Truelove Condition Serious.

The condition of R. B. Truelove, 40, of 105 Estoria street, who suffered a fractured skull and other injuries at the hands of an unknown assailant Saturday afternoon, was pronounced critical at Grady hospital last night.

Truelove was standing on Central avenue near Fair street when a car drove up and one of three men in it got out, knocked him down and then kicked him into the street, witnesses told police.

Horace Simpson, of 882 West End drive, was admitted to Grady hospital at 2 o'clock yesterday morning in serious condition suffering from severe stab wounds in the head.

Found Lying in Street.

Radio Patrolmen H. D. Gaines and M. G. Jenkins found the man lying in the 700 block of Lee street, S. W., on answering a radio call on a disturbance. A deep gash in Simpson's left temple, which severed an artery, apparently was inflicted by a piece of broken glass, they reported.

Seeing two white men a short distance away, they arrested Walter E. Benton, 23, of a Peeples street address, and B. S. Orr, 43, of 1002 West Peachtree street. The men admitted they had been fighting with Simpson, the officers said.

Benton was released on $200 bond for assault and battery and Orr on $50 bond for disorderly conduct and fighting.

Shot five times in the left shoulder, chest and abdomen, Ed Stewart, negro, of 56 1-2 Boulevard, S. E., was admitted to Grady hospital early yesterday morning in critical condition. Homer Winn, negro, of the rear of 146 Randolph street, who brought Stewart to the hospital, told police the victim was shot on Randolph street by a negro known as "J. T." The assailant fired five times into Stewart's body at close range with a .32-caliber automatic, Winn told police.

Stabbed in his restaurant at 945 Fair street, S. E., shortly before midnight last night, John T. McElroy, 24, of 1377 McPherson avenue, was admitted to Grady hospital in serious condition from loss of blood.

McElroy told Hospital Patrolman J. J. Elliott he was putting a drunk man out of his place when a companion attacked him with a knife. He suffered a stab wound in the chest and was cut to the bone on his right arm.

Officers H. C. Miller and H. E. Burdett later arrested Joe A. Williams, 51, at his home at 385 Glenwood avenue, and charged him with the stabbing.

NEGRO HELD IN DAYTON ADMITS SLAYING HERE

Death of Roscoe Harbin on March 17, 1934, Is Believed Solved.

The murder of an Atlanta man more than two years ago was believed solved yesterday with the arrest in Dayton, Ohio, of a negro suspect who police there said confessed to the crime.

Following a telegram from authorities in the Ohio city, Detectives D. L. Taylor and Douglas Poole left Atlanta early this morning to return the suspect here. He was listed as Clinton Pinson, 30.

According to Dayton police, Pinson confessed that he shot and mortally wounded Roscoe Harbin, 26, of 486 Lawson street, at Peters and Fair streets late on the night of March 17, 1934.

At the time of the shooting, in which Harbin was shot in the chest and leg, police learned, the victim had engaged in an argument with a negro known as "Clint," who fled after the crime.

Harbin, formerly of Palmetto, operated a can and bottle shop in Bradberry alley. He died after being admitted to Grady hospital.

Details of the arrest of Pinson were not revealed. According to police files here, a negro listed as Clinton Pinson was sentenced to five to seven years on a burglary charge on November 13, 1923, and was arrested on a murder and robbery charge February 1, 1932.

In the latter case, Pinson was alleged to have slain M. Jaffe, storekeeper, in the holdup on a store at 123 Vine street, N. W. Pinson was acquitted of this charge, however, on March 5, 1932, according to police records.

WATCHMAN QUIZZED IN SLAYING OF GIRL

Asheville Hotel Employe Held After Negro Bellboy Establishes Alibi

ASHEVILLE, N. C., July 18.—(AP)—Investigators questioned the night watchman of a fashionable (Battery Park) hotel tonight as they pursued an intensified hunt for the slayer who shot 18-year-old Helen Clevenger to death, mutilated her face and attempted to assault her in her hotel room early Thursday morning.

The watchman, Daniel H. Gaddy, was taken into custody by order of Sheriff Laurence E. Brown, of Buncombe County, shortly after Police Chief William J. Everett announced that Joe Urey, negro bell boy, apparently had established his innocense. Urey was detained for questioning last night.

At the inquest yesterday, which produced a verdict that Miss Clevenger, a co-ed at New York University, had met death at the hands of "a party or parties unknown," Gaddy testified that he was making his rounds of the hotel floors at the time officers believed the girl was killed, about 1 a.m.

He said he saw nothing amiss on his inspection. At the hour other witnesses testified they heard a woman scream, supposedly the death cry of Miss Clevenger, he said he probably was near the top floor of the 12-story hotel. The girl's room was on the fourth floor.

The girl's father, J. F. Clevenger, of Staten Island, N. Y., said today he was "confident the slayer will be captured shortly."

"Probably nobody has more interest in the case than myself," said Clevenger, a chemist in the New York State Food and Drug Administration. "I want to help the authorities in every way."

The father said his wife, a semi-invalid, was unable to come to Asheville from their home and would not attend their only child's funeral at Piqua, Ohio, their former home.

Chief Everett said still another suspect, also a white man, was being sought.

"There may be other arrests shortly, I couldn't say for sure, but the only real clue we have left is that bullet," Everett said.

The pretty New York University honor student was killed by a short-range shot from an odd-sized pistol after some sharp struggle. Her instrument had been thrust repeatedly through her face. Neither gun nor stabbing instrument was found.

Chief Everett's announcement of Urey's release followed an earlier prediction by Chief of Detective Fred Jones that a white suspect would be arrested "immediately."

Everett and Sheriff Brown spent today re-questioning witnesses who appeared at

Killings-1936

Georgia.

WHITE MAN SLAIN IN MYSTERY FIGHT AS WOMEN WATCH

Constitution

All Victims Are Stabbed; Police Probe Death on West Peachtree Place; Companion Questioned, Unable To Give Cause.

5-11-31

"SCARFACE" ROW ENDS IN DEATH

Atlanta, Ga.

Insurance Angle Investigated in Negro's Death; Grady Kept Busy Caring for Wounded Scrappers.

An almost unprecedented wave of violence, murder and assault swept Atlanta over the week-end, with maddened killers taking a toll of four lives. A number of other victims of stab and gunshot wounds were admitted for treatment at Grady hospital.

Officers were kept busy during the early morning hours yesterday as call after call was sent out over the police radio system telling of additional assaults.

Johnnie Jenkins, 37-year-old white man, was found with his head and body literally covered with stab wounds shortly before 2 o'clock yesterday morning on West Peachtree place near Lovejoy street. He was pronounced dead on arrival at Grady hospital. Investigation showed he had received a wound of the scalp, three stab wounds in his left cheek, eight in the chest and abdomen, a bad gash in his right arm and a battering blow in the mouth. He lived at 345 Fowler street, N. E.

Slayer Flees.

Patrolmen W. E. Whitten and R. E. Finley reported they found Jenkins lying in the street in front of 185 West Peachtree place. Two eyewitnesses to the assault, Mrs. Ruby Shell and Mrs. Lessie Teeling, both of 186 West Peachtree place, told officers they saw a "tall, slender negro" scuffling with Jenkins. They said the negro knocked Jenkins down and then appeared to be beating him. The assailant escaped between two nearby houses following the fight, they reported.

The witnesses also said they heard three shots fired during the fight. The officers reported they found a .32-caliber revolver about 15 feet from Jenkins' body. The gun was later identifed as Jenkins' by his wife. A long switch-blade knife, with its blade bent and bloody, was found underneath the body of the victim.

W. H. Lane, 35, of 345 Luckie street, said he chanced to have been a companion of Jenkins Saturday night, was held yesterday at police headquarters as officers probed the slaying. Lane told the officers, they reported, that he and Jenkins had left Jenkins' house a short time before the fight occurred, but that they had been drinking heavily and he did not remember what had happened.

Trail of Blood.

A police call shortly after midnight yesterday sent Radio Patrolmen M. B. Moss and E. P. Roberts to investigate a stabbing in the 1000 block of Gordon street, and Howard Kilgore, of 689 Lawton street, who said they saw a negro man and woman running up the street, the negro man bleeding profusely.

Following the trail of blood for several blocks, the policemen found a negro dying of stab wounds in the rear of 1132 Oglethorpe avenue. He was identifed by police as Ed Taylor, alias Reuben Washington, 45. He was suffering from a slash in his throat which reached almost from ear to ear and numerous stab wounds over the body and legs.

The negro died at Grady hospital at 9 o'clock yesterday morning.

The patrolmen took into custody Mabel Tuggle, negro woman, who lives in the rear of a residence in the 1000 block of Gordon street. Blood and marks of violence were found in her home. According to the officers, the woman said the stabbing had been done by her husband, Bud Tuggle.

Took Out Insurance.

Mrs. W. H. Bradley, 1132 Oglethorpe avenue, told investigating officers that Taylor lived in the rear of her home and that he recently had taken out an insurance policy naming the Tuggle woman as beneficiary.

Another death occurred early yesterday morning as the result of an argument said to have been over the date of the showing of a motion picture here. Lillie Mae Passmore, 16-year-old negro girl, of 147 Cain street, was stabbed repeatedly about the body, according to police, by her uncle, Clarence Hudson, also 16, of the same address. The picture was "Scarface."

Arrested by Patrolman C. W. Cartwright shortly after 1 o'clock this morning when he brought his niece to Grady hospital, Hudson told investigating detectives, Bill Holland and E. I. Hildebrand, that he stabbed his niece when an argument became heated over the date of the showing of the picture at a negro theater, the detectives reported.

The girl died at 2 o'clock yesterday afternoon.

Girl Relates Killing.

A fourth stabbing victim, Sallie Mae Goodson, 34, negro, of 821 Blackgum street, was found dead on the floor of her home early yesterday morning. Officers I. W. Belcher and J. L. Pope reported they were told by Lizzie Goodson, 13, oldest of the woman's eight children, that the woman's husband, Will Goodson, came home drinking heavily and called his wife into another room.

Screams followed, the girl said, and she found her mother lying on the floor badly stabbed. She was pronounced dead on arrival at Grady hospital and investigation showed she had suffered numerous stab wounds about the head, body and legs. One knife thrust, entering her neck below the left ear, severed the jugular vein and disjointed the neck, according to undertakers.

Goodson was taken into custody last night by Detectives Holland and Hildebrand when they located him at 303 Walker street. The detectives said they learned Goodson had taken two insurance policies on his wife to Mary Ann Pritchett, of 817 Blackgum street, and told her to take care of them, adding that he was going to kill his wife.

The detectives also said they learned that Goodson beat his wife badly Friday night. They declared the 33-year-old 217-pound negro admitted slaying his wife, saying he did it because she had mistreated him.

Truelove Condition Serious.

The condition of R. B. Truelove, 40, of 105 Estoria street, who suffered a fractured skull and other injuries at the hands of an unknown assailant Saturday afternoon, was pronounced critical at Grady hospital last night.

Truelove was standing on Central avenue near Fair street when a car drove up and one of three men in it got out, knocked him down and then kicked him into the street, witnesses told police.

Horace Simpson, of 882 West End drive, was admitted to Grady hospital at 2 o'clock yesterday morning in serious condition suffering from severe stab wounds in the head.

Found Lying in Street.

Radio Patrolmen H. D. Gaines and M. G. Jenkins found the man lying in the 700 block of Lee street, S. W., on answering a radio call on a disturbance. A deep gash in Simpson's left temple, which severed an artery, apparently was inflicted by a piece of broken glass, they reported.

Seeing two white men a short distance away, they arrested Walter E. Benton, 23, of a Peeples street address, and B. S. Orr, 43, of 1002 West Peachtree street. The men admitted they had been fighting with Simpson, the officers said.

Benton was released on $200 bond for assault and battery and Orr on $50 bond for disorderly conduct and fighting.

Shot five times in the left shoulder, chest and abdomen, Ed Stewart, negro, of 56 1-2 Boulevard, S. E., was admitted to Grady hospital early yesterday morning in critical condition. Homer Winn, negro, of the rear of 146 Randolph street, who brought Stewart to the hospital, told police the victim was shot on Randolph street by a negro known as "J. T." The assailant fired five times into Stewart's body at close range with a .32-caliber automatic, Winn told police.

Stabbed in his restaurant at 945 Fair street, S. E., shortly before midnight last night, John T. McElroy, 24, of 1377 McPherson avenue, was admitted to Grady hospital in serious condition from loss of blood.

McElroy told Hospital Patrolman J. J. Elliott he was putting a drunk man out of his place when a companion attacked him with a knife. He suffered a stab wound in the chest and was cut to the bone on his right arm.

Officers H. C. Miller and H. E. Burdett later arrested Joe A. Williams, 51, at his home at 385 Glenwood avenue, and charged him with the stabbing.

NEGRO HELD IN DAYTON ADMITS SLAYING HERE

Death of Roscoe Harbin on March 17, 1934, Is Believed Solved.

The murder of an Atlanta man more than two years ago was believed solved yesterday with the arrest in Dayton, Ohio, of a negro suspect who police there said confessed to the crime.

Following a telegram from authorities in the Ohio city, Detectives D. L. Taylor and Douglas Poole left Atlanta early this morning to return the suspect here. He was listed as Clinton Pinson, 30.

According to Dayton police, Pinson confessed that he shot and mortally wounded Roscoe Harbin, 26, of 486 Lawson street, at Peters and Fair streets late on the night of March 17, 1934.

At the time of the shooting, in which Harbin was shot in the chest and leg, police learned, the victim had engaged in an argument with a negro known as "Clint," who fled after the crime.

Harbin, formerly of Palmetto, operated a can and bottle shop in Bradberry alley. He died after being admitted to Grady hospital.

Details of the arrest of Pinson were not revealed. According to police files here, a negro listed as Clinton Pinson was sentenced to five to seven years on a burglary charge on November 13, 1923, and was arrested on a murder and robbery charge February 1, 1932.

In the latter case, Pinson was alleged to have slain M. Jaffe, storekeeper, in the holdup on a store at 123 Vine street, N. W. Pinson was acquitted of this charge, however, on March 5, 1932, according to police records.

WATCHMAN QUIZZED IN SLAYING OF GIRL

Asheville Hotel Employe Held After Negro Bellboy Establishes Alibi

ASHEVILLE, N. C., July 18.—(AP)—Investigators questioned the night watchman of a fashionable (Battery Park) hotel tonight as they pursued an intensified hunt for the slayer who shot 18-year-old Helen Clevenger to death, mutilated her face and attempted to assault her in her hotel room early Thursday morning.

The watchman, Daniel H. Gaddy, was taken into custody by order of Sheriff Laurence E. Brown, of Buncombe County, shortly after Police Chief William J. Everett announced that Joe Urey, negro bellboy, apparently had established his innocense. Urey was detained for questioning last night.

At the inquest yesterday, which produced a verdict that Miss Clevenger, a co-ed at New York University, had met death at the hands of "a party or parties unknown," Gaddy testified that he was making his rounds of the hotel floors at the time officers believed the girl was killed, about 1 a.m.

He said he saw nothing amiss on his inspection.

At the hour other witnesses testified they heard a woman scream, supposedly the death cry of Miss Clevenger, he said he probably was near the top floor of the 12-story hotel. The girl's room was on the fourth floor.

The girl's father, J. F. Clevenger, of Staten Island, N. Y., said today he was "confident the slayer will be captured shortly."

"Probably nobody has more interest in the case than myself," said Clevenger, a chemist in the New York State Food and Drug Administration. "I want to help the authorities in every way."

The father said his wife, a semi-invalid, was unable to come to Asheville from their home and would not attend their only child's funeral at Piqua, Ohio, their former home.

Chief Everett said still another suspect, also a white man, was being sought.

"There may be other arrests shortly, I couldn't say for sure, but the only real clue we have left is that bullet," Everett said.

The pretty New York University honor student was killed by a short-range shot from an odd-sized pistol after some sharp struggle, yesterday's inquest. The "mystery man," about which their instrument had been thrust repeatedly through her face. Neither gun nor stabbing instrument was found.

Chief Everett's announcement of Urey's release followed an earlier prediction by Chief of Detective Fred Jones that a white suspect would be arrested "immediately."

Everett and Sheriff Brown spent today re-questioning witnesses who appeared at

tall and slender, with weight estimates variously as both short and heavy and efforts appeared to center, was described

E. B. Pittman, employe of the State Banking Department, said he saw a man driving

Sheriff Brown said today that Urey fitted the description given by Pittman. Officers felt for a time they were near a solution, but were forced to begin again by the day's developments.

Miss Clevenger came here Wednesday with her uncle, Prof. W. L. C. Jones, negro bellboy, said he heard shortly before 1 a.m. He saw the man taxi driver, who said he saw the man up as another guest, hurdle the railing at 12:42 a.m. while he himself, who entered the hall in curiosity about the cries.

Durham Jones, negro bellboy, said he saw a stranger dart from the foot of the stairs, cross the lobby into the front entrance, and flee down the street into a rainstorm.

He was corroborated by Casey Jones, North Carolina State College

in Miss Clevenger's doorway after screams

Another uncle, C. B. Clevenger, who also is a member of the college faculty, was here today for conferences with his brothers and the sheriff.

TWO WHITE BOYS DEAD AT HANDS OF NEGROES

Wayne Dennard, 13, Stabbed and Harry Kinsey, 9, Fatally Shot.

A shooting and a stabbing by negro boys claimed the lives of two Atlanta white boys yesterday and last night, according to police reports.

Wayne Dennard, 13, of 939 Capitol avenue, son of Ernest Dennard, railroad man, was stagged in the heart with a knife allegedly wielded by Charles Mills, 13, negro, of 926 Martin street, in front of a store at 845 Capitol avenue, at about 8:45 o'clock last night.

Harry Kinsey, 9, son of Mrs. Flossie Kinsey, of 435 Pulliam street, was shot near the heart with a bullet from a .38-caliber revolver allegedly fired by Howard (Hambone) Gunnell, 12, negro, in a house in the rear of 434 Central avenue early yesterday morning.

Boy Arrested.

Radio Patrolmen J. T. Malcom and J. H. Parham, who arrested the Mills boy at his home, quoted him as saying the Dennard boy "hit him in the mouth," but details of the stabbing were not learned.

J. D. Gorman took the injured lad to Piedmont hospital, where he died shortly after being admitted. Doctors said a three-inch-deep wound in the heart virtually laid open the organ.

The Mills boy was held for the juvenile detention home.

Detectives learned the Kinsey boy was playing with Gunnell, who lives in the rear of the Kinsey home, and another negro boy, W. C. Wise, 4. Gunnell allegedly picked up the old revolver, pointed it at the Kinsey boy and pulled the trigger.

Gunnell Sought.

The bullet passed through the Kinsey boy's body, and was found on the floor. Gunnell is being sought by police. The Kinsey boy staggered to an alley near the house and then collapsed.

Besides his mother, Kinsey is survived by two sisters, and his grandparents, Mr. and Mrs. Lee Reed, of Calhoun. Funeral arrangements will be announced by Harry G. Poole.

Police said the revolver was found in a trunk in the negro house.

BOY SAYS FATAL SHOT WAS SELF-INFLICTED

Negro Surrenders to Police After Death of White Boy Playmate.

Sought in connection with the fatal shooting of Harry Kinsey, 9, of 435 Pulliam street S. W., Howard (Hambone) Gunnell, 12, negro, of 434 Central avenue, surrendered to police early yesterday afternoon.

He was held at the juvenile detention home, pending a coroner's inquest at 10:30 o'clock this morning at the mortuary of Harry G. Poole.

Detectives said the negro boy claimed the shooting of Kinsey, who was shot once near the heart with a bullet from a .38-caliber revolver Saturday morning, was accidental.

They quoted the boy as saying, "Harry came to my house and wanted me to show him some stereopticon slides. But I told him I couldn't because my father told me not to touch the slides.

"Harry acted a little sore, but he got over it, and he was walking around the room. He picked the revolver up out of a trunk. It was cocked and when he tried to break it, it went off, and the bullet hit him.

"I got scared, put the revolver back in the trunk and ran out. I went to where my father works and then went to my uncle's house, where I stayed over night."

The Kinsey boy staggered to an alley near the house, and then collapsed. He died shortly after being admitted to Grady hospital.

12-YEAR NEGRO HELD ON MURDER CHARGE

Ordered held yesterday for the grand jury on a charge of murder, Howard "Hambone" Gunnell, 12-year-old negro boy, was locked up at the juvenile detention home after a coroner's jury investigation of the fatal shooting Saturday of Harry Kinsey, 9-year-old white boy, of 435 Pulliam street.

The negro boy surrendered to police Sunday and declared the bullet wound from the pistol was accidentally self-inflicted by the Kinsey boy.

Lessie Butler, 62, negro woman living near the negro dwelling in which the boy was shot, was held by police as an accessory after the fact when witnesses said she told the negro boy to run after the shooting.

TWO NEGRO YOUTHS ACCUSED OF SLAYINGS

Murder indictments against two negro boys were returned yesterday by the Fulton grand jury for the killing of two white boys Saturday night.

Charles Mills, 13-year-old negro, was indicted for the fatal stabbing of 13-year-old Wayne Denhard as a climax of an argument over a delivery boy's job that began several weeks before. According to the solicitor general's office, the white boy was standing in the doorway of a Capitol avenue store as the negro started out and stabbed Dennard as he passed.

Howard Gunnell, negro youth, was indicted for fatally shooting Henry Kinsley, 9-year-old white lad, with a .38-caliber revolver. Evidence in both cases was gathered for the grand jury by Fred K. Stephens, special investigator of the solicitor general's office.

NEGRO ORDERLY KILLED IN ATTEMPT TO ESCAPE

A negro hospital orderly who allegedly assaulted a young woman patient at Grady hospital died at the hospital early yesterday morning, less than an hour after he was shot when he attempted to escape from Detectives J. W. Cody and S. W. Roper.

The negro, Tom Finch, was arrested by the detectives Friday night, following a complaint and identification by the young woman, a resident of Grant street. On the way to police station, the negro attacked Detective Roper and attempted to escape. He was shot three times. He died without making a statement.

Negro Orderly Shot by Police

Man Killed After Assault, Attempt in Hospital

ATLANTA, Sept. 12 (AP)—A Negro orderly was shot fatally today in an attempt to escape from two police detectives who arrested him on a charge of attempting to assault a woman hospital patient.

Detectives J. W. Cody and S. W. Roper arrested the Negro on complaint and identification of the young woman patient. En route to police headquarters, the Negro tried to escape, officers said. He was shot three times and died an hour later without making a statement.

Gunshot, Stab Wounds Prove Fatal To Two Persons

ALARMING TOTAL

SEPTEMBER 10, 1935—Colored homicide total in Atlanta, 82.

SEPTEMBER 10, 1936—Colored homicide total in Atlanta, 82.

Grady hospital records, Thursday, revealed the homicidal deaths of two persons, skyrocketing the colored homicide record for the year to 82, the same total registered this time last year.

81

The names of six homicide victims have been placed on police books this week. Two were recorded Tuesday morning, two other names were written Wednesday, and the last two were registered Thursday morning.

Homicide number 81 was reported with the death of John Rogers, 21, 630 Pulliam street. The victim was admitted to Grady hospital September 6, suffering from gunshot wounds of the chest. He died Wednesday night.

Detectives Thursday were seeking Grover Cleveland Belcher, Jr., 18-year-old youth of Jonesboro Road with plans of questioning him in the violent death late Wednesday of 18-year-old Broughton of Sawtell Place.

82

The wounded youth was found in a pool of blood in a field near Jonesboro Road, police said. A three-inch-long stab wound was reported to have caused the death at eight o'clock at the American Bible Society headquarters of Broughton. The knife penetrated his chest above the heart.

The body of the deceased is being held by the Henry C. Howard funeral home, detectives said.

Patrolmen in Radio Car number 18, said the boy was in a dying condition when removed from the field near 1465 Joneboro Road and carried to Grady hospital. The victim passed soon after being admitted to the emergency ward at Grady.

Police were told that an argument over a sweater resulted in the death of Broughton. The knife said to have been used in the crime had not been located Thursday night.

Willie Davis' Death No. 80 For Atlanta

The death of Willie Davis Wednesday afternoon at Grady Hospital caused Atlanta's colored homicide thermometer to climb nearer the record of last year this time.

80

Davis' passing, according to ATLANTA WORLD records, gives Atlanta its 80th colored homicide for the year. The ATLANTA WORLD file of last year revealed that 81 were victims of homicidal violence that time a year ago.

The 1935 colored homicide total in Atlanta at the end of September reached the figure of 84.

Willie Davis, according to Grady Hospital reports, died Wednesday afternoon at 1:40 o'clock. He was admitted August 23, for treatment of a stabbed abdomen, it was reported.

Davis' address was given as 530 Strong street.

Two persons died at Grady Hospital Monday night as a result of the crime wave, which has gripped Atlanta for the past few years.

Negro Being Held In Farmer's Death

HAMILTON, Ga., Dec. 26 (AP)—Wesley Hardy, 40-year-old Harris county farmer, was shot and killed Friday night as he sat in his automobile on the highway near Waverly Hall.

A Negro has been arrested by Sheriff M. D. Hadley of Harris county, and is being held in jail here on charges of murder. Two Negroes are held as material witnesses.

Sheriff Hadley said his investigation revealed the shooting followed an argument.

Killings-1936

Georgia.

TWO BEING HELD IN MURDER PROBE

Solution Is Seen by Macon Officers in Shooting of Three Peach Countians

A possible solution to the mysterious fatal shooting of Mrs. J. P. Padgett and the wounding of two others in a Fort Valley store on Saturday night, Dec. 14, was seen here yesterday with arrest of two Negroes held for investigation by police.

Those held are Willie Snare, 17, 58 New street, and Ike Evans, 29, 1058 Ocmulgee street, who were arrested yesterday morning by Officers John I. Beck and J. D. Newman in a car at Fifth and Ocmulgee streets.

Police said the Negroes were riding in a Buick coach, driven by Snare, that bears a license tag with numbers almost identical with those seen on a Buick coach in Fort Valley the night of the shooting.

The numbers taken from the car in Peach county were 1766-A; those on the Buick coach in which the Negroes were riding here yesterday are 17667-A. From Fort Valley it was reported that the car was light green. The car held by local officers is light blue.

Snare and Evans denied having been in Fort Valley within the past 12 months and Snare said the car was owned by his grandfather, who is physically unable to drive.

Sheriff Expected Here

Officers Beck and Newman stopped the car to test its brakes and then noticed similarity of the tag numbers. A case of driving without brakes was docketed against Snare and both Negroes were held on additional open charges.

Sheriff Briggs Fagan of Peach county is expected here today to attempt identification of the Negroes.

Mrs. Padgett died in a local hospital shortly after the shooting; her mother, Mrs. Monroe Melvin, who suffered a shot wound in the shoulder, was dismissed from a local hospital Christmas Day, and Mr. Padgett, who suffered a flesh wound in the triple shooting, has recovered.

Two Negroes walked in the small store operated by Mr. Padgett at Fort Valley on the night of Dec. 14, ordered the trio to raise their hands and then one of the Negroes opened fire with a pistol.

U. S. COURT TO REVIEW NEGRO'S CONVICTION

MACON, Ga., Jan. 25.—(AP)—Circumstances surrounding the trial in Moultrie recently of John Henry Sloan, negro, on a charge of slaying a white man are to be aired in United States district court here Monday.

The negro's execution was stayed recently by United States District Judge Bascom Deaver on the claim of defense attorneys that Sloan was not given a fair trial, and was not given any opportunity to file a motion for a new trial. His trial was attended by national guardsmen.

Sloan was convicted of slaying Otis Gay, young white man of Moultrie. The negro is in jail here.

Macon, Ga., Telegraph
January 26, 1936

SLOAN ON TRIAL HERE TOMORROW

Witnesses, Jurors in Moultrie Case Summoned Before Federal Court

Jurors and witnesses involved in the Moultrie trial last fall of John Henry Sloan, young Negro, now held in jail here, will come to Macon tomorrow morning for a hearing in federal court on a habeas corpus plea Judge Bascom S. Deaver granted the hearing on petition of Park and Strozier of Macon, counsel for the Negro, who was sentenced to death for the road side slaying in Colquitt county last Oct. 15, of Otis Gay, young white man.

Defense attorneys contend that he was tried "without due process of law and under duress because national guardsmen were called to prevent any chance of lynching," also that he was not given opportunity to file a new trial motion.

A dispatch from Moultrie yesterday reported Solicitor General George Lilly of Colquitt superior court, Attorney General M. J. Yeomans and his assistant, J. L. Goode, were there during the day, conducting a "review of evidence," and that they have summoned the 12 jurors and several witnesses to attend the hearing in federal court here, which will open at 10 a.m.

Hancock Negroes Held in Murder

SPARTA, Ga., Feb. 21.—Two Negroes, Will Trawick and L. J. Jones, were bound over under a charge of murder yesterday afternoon by Justice of the Place J. T. Phillips as a result of the fatal cutting of another Negro, Curtis Veal, on Sunday at Linton in Hancock county.

It appears from the evidence that all of the Negroes had indulged in drinking moonshine whisky and a fight followed. Curtis Veal was alleged to have been cut in many places by the other two and died in a Milledgeville hospital last Sunday. Trawick and Jones are in jail here and will be tried at the March term of Hancock superior court, which will convene on the fourth Monday.

Macon, Ga., Telegraph
February 11, 1936

Tragedy of Errors

If the United States Senate will now pass the bill, Sam Knight's family will get $5,000 in small monthly installments.

Sam Knight was a Negro who had been to church on the night of Aug. 30, 1930, and was returning home along the public highway leading out of Macon known as the Cochran Short Route.

Sam regarded the road as sometimes infested with bad characters, and to protect himself against harm, he carried a pistol and some extra cartridges. Although he was away from home on a mission for the Lord he didn't think the Lord would be able to protect him on the highway.

Federal revenue officers had business on that highway also. They had made a whisky raid further up the road, and their informer had been killed by a Negro, and the informer made a dying request that his buddies should get the killer.

Two of the officers, cruising in an automobile for the killer, met another party who told them he had just seen the killer going along this public highway. The officers came upon Sam Knight, the church-goer. They did not have time nor discretion under the circumstances to figure that if Sam was really the killer he would not be walking along the public road, meeting an automobile or being overtaken by one, and possibly being detected and arrested, when the road was skirted on both sides by friendly woods, and the river swamp was in easy reach.

The officers hailed Sam, one of them flashed a light in his face and held it on him while the other officer got out of the car and walked around to where Sam was standing in the road. Sam had no way to know whether he was now confronted with the harm he had anticipated when he brought along his pistol. The officers testified that he had his coat thrown over his arm, and under the coat he appeared to have a pistol.

The officer approached Sam within ten to fifteen feet, announcing to Sam, "We are officers." Sam was said by the officers to have thereupon fired at the approaching officer, and the officer shot and killed Sam. He received one bullet in the breast and the other under his arm pit.

Sam just prior to his death had married a widow with five children, and with his five they had a sizeable household. One of the children is afflicted and is without prospect of ever being able to take care of himself.

Attorney Harry Nottingham and some of his friends were impressed by the pathetic plight of Blanche Knight, his widow, with all that host of children to care for, and they prevailed upon the late Congressman Rutherford to introduce a bill in Congress for $5,000 pennance money to be paid by the American people for the tragic and deplorable killing of the husband ard father by federal officers enforcing the prohibition law.

The bill has been twice passed by the House, but has never gotten by the Senate.

We think it ought to pass the Senate, for several reasons: One is that Sam Knight was innocent of any connection with the whisky raid. Whatever might have been his error in shooting at the officers, it can be seen that it was an innocent and reasonable error—as much of an error and as innocent an error as was made by the officers in accosting him. Another reason is that the prohibition law of the Federal Government has since been repealed; whether this law in its original enactment was an error, acknowledged and corrected by the American people, or whether it was not an error at all may be a debatable question. But it looks to us like another error on the part of the government. Another and more convincing reason is that Blanche Knight has no means of taking care of 10 children, orphaned and left to her under the law, and by the law.

And whatever Blanche Knight lacks in money and means with which to take care of these children will have to be supplied by citizens and taxpayers of this community—instead of having the burden distributed among all the American people, who were in the last analysis responsible for what happened.

It was all a heart-breaking tragedy, that might have been visited upon any other citizen of the community. It makes no difference that Sam Knight was a Negro. If he had been a man of influence and standing in the community, as easily might have been the case, the amount asked for would have been multiplied many times—and would have been paid long before the five years that have elapsed.

NEGRO SHOT TO DEATH; DEFENSE IS CLAIMED

Jessie Green, 37, negro, was shot and instantly killed early last night, according to police, by Ben Thomas, 49, negro, of 72 Parker street, who told detectives Green threatened him with a pistol.

"He said he was going to kill me," police quoted Thomas as saying. Thomas fired five shots at Green, all of them striking him in the body. He was pronounced dead upon arrival at Grady hospital.

Thomas was held on a charge of suspicion of murder. The shooting occurred in Thomas' home.

NEGRO IS SENTENCED FOR DEATH OF WOMAN

Accused of killing Ida Ellis, negro, by striking her with a lighted kerosene oil lamp and inflicting burns which proved fatal, Clemon Walker, negro, yesterday was sentenced to serve from one to three years on the chain gang when a jury in Fulton superior court found him guilty of involuntary manslaughter.

Walker was indicted for murder but claimed that the Ellis woman's death was accidental. Judge G. H. Howard fixed his sentence when the jury reduced the charge against him.

SLOAN IS CONVICTED BY JURY AT ALBANY

Negro Accused of Slaying Moultrie Youth To Die May 1.

ALBANY, Ga., March 24.—(AP)—John Henry Sloan, 23-year-old nero, was convicted a second time today for the roadside killing of Otis Gay, young white man of Moultrie. and was sentenced to die May 1.

The jury deliberated only 28 minutes after a one-day trial made necessary because of a federal court reversal of his previous conviction on grounds that presence of national guardsmen, following mob threats, deprived him of constitutional rights.

Sloan said he shot because of fright, a defense attorney, W. A. Covington, having said earlier that it was admitted that Sloan shot Gay but that it was done without malicious intent.

Gay suffered fatal wounds and a companion, Miss Mary Smith, was also wounded when a gun was discharged toward them on the night of October 15.

Sloan was taken into custody a few days later in Florida.

"I was coming home that night and heard voices," Sloan said in his statement, "and I thought that it was the same folks that chased me that afternoon. I was scared and shot in that direction, but I didn't mean to hit them."

Miss Smith, on the witnes stand today, said she and Gay were sitting on the bank at the side of the road, planning their marriage "when the negro came up and shot us."

She quoted the negro as having said "If I haven't killed you, I will." She said the man reloaded the gun.

Sloan had been convicted previously on the slaying charge and sentenced to die in the electric chair but a federal court set aside the conviction on the grounds that the presence of national guardsmen at the initial trial, following mob threats, deprived the man of constitutional rights.

No soldiers were present today, but the courtroom was heavily guarded. The trial was before Judge B. C. Gardner and George Lilly, solicitor, who prosecuted the case at Moultrie, was again in charge of the state's side of the case.

YOUNG NEGRO IS SLAIN; ALLEGED KILLER NAMED

Stabbed during a mysterious altercation in a building in the 300 block of Gerardineen street at 5 o'clock yesterday morning, Henry Charles "Lips" Daniel, 21-year-old negro, of 396 Oliver alley, was pronounced dead on arrival at Grady hospital.

Police were informed, they reported, that Daniel was stabbed by another negro named Ed King, address unknown. They began a hunt for King last night.

NEGRO SHOT TO DEATH AFTER WILD OUTBURST

Two White Men Stabbed Near State Market; Officer Ends Terror.

A brief reign of terror which began when an unidentified negro ran amuck with a long-bladed butcher knife at Courtland and Gilmer streets, wounding two white men and several negroes, ended shortly after 9:30 o'clock last night when he was shot down by a patrolman.

Apparently mentally deranged, the negro, about 40 years old and described as gangling and brownskin, went on the warpath brandishing the knife, in front of the Hungry Man cafe at 37 Gilmer street.

His first victim was Ted Laskiewicz, 23, of 98 1-2 Piedmont avenue, employe of a produce dealer in the state farmers' market, who was stabbed in the back as he left the restaurant.

Yelling and waving the knife, the negro then ran into the restaurant, slashing George L. Smith, 33, of 303 Oakland street, inflicting a slight wound on the left arm.

The crazed negro then ran out of the restaurant and approached a group of negroes on a corner, slashing right and left with the knife and inflicting slight wounds on several.

Patrolman Wyley A. Buck, who was in the eating place, pursued the negro, who lunged several times at him. Patrolman Buck then fired a single bullet from his .38-caliber service pistol. The bullet struck the negro near the heart.

He was pronounced dead upon arrival at Grady hospital. Laskiewicz, the most seriously wounded, was also taken to the hospital. Doctors last night expressed fears the knife may have penetrated a kidney.

Captain G. Neal Ellis revealed that about an hour previously, the negro entered his office at police headquarters, saying, "They say I'm a bad nigger, but I ain't a bad nigger. Just look up my record, Cap'n, and you'll see just how bad I really am."

Captain Ellis told the negro to leave his office.

Miss Frances Mealor, 19, of 306 Cooper street, a waitress in the restaurant, who witnessed the incident, said "he came in here like a wild man. I never saw a wilder looking man. I was scared to death."

SLAYER OF POLICEMAN MUST DIE, COURT SAYS

The state supreme court yesterday affirmed the conviction and death sentence imposed on Winton Boyer, Hancock county negro, for the slaying of M. L. Stafford, Sparta traffic policeman.

According to the record in the case the negro, one of five being chased by Policeman Stafford for drunk and reckless driving through the streets of Sparta, turned on his pursuer and killed him rather than submit to arrest.

A date for the execution will be set in a few days.

Boyer's conviction was upheld recently by the state supreme court.

Judge C. B. Parker, 33-year-old presiding jurist of the Ocmulgee superior court circuit in passing sentence today, commented, "the people of Hancock county are to be congratulated in co-operating with the court in having a fair and orderly trial." He told the defendant he had been "duly and legally convicted, as provided by the laws of Georgia. Attorneys appointed by the court to defend you have performed their duties, and appealed to the supreme court. In this court, the judgment of the Hancock county superior court has been affirmed.

"I'm satisfied that the cause of your crime is due to the fact that you and others in the automobile at the time of the homicide were under the influence of liquor."

SNIPER ARRESTED NEAR BIRMINGHAM

'Preacher' Is Seized for Slaying of Negro Here; Terrorized Wide Section

Robert "Preacher" Bloodworth, allegedly the phantom negro sniper whose shooting proclivities resulted in the death of one man, the wounding of a woman, and the terrorizing of a large negro section of Atlanta recently, was arrested yesterday by Birmingham police, Atlanta authorities were notified.

Bloodworth is under indictment of the Fulton county grand jury for the murder of Leddus Arnold, negro, who was slain by a gunman who told bystanders, "Watch that boy jump."

The sniper shot Arnold dead before spectators could interfere. City Detective W. M. Espy, of Birmingham, declared that Bloodworth had confessed that he killed a negro here whom he knew only as "Sonny." Arnold was known by that name, Atlanta police said.

Bloodworth is reported to have informed the Birmingham authorities that he killed Arnold because the latter had been "stealing his whisky." He denied that he had shot at other persons.

The terrorism of the section and frequent sninings resulted in the establishment of a heavy police patrol of the section, with the officers instructed to shoot to kill if the sniper was spotted.

The patrol continued for several weeks until police announced they were convinced that Bloodworth had left town. Birmingham police were notified several weeks ago to seek him at the home of relatives in Pratt City, Birmingham suburb, and at that time staged a raid in which they were unsuccessful.

Arnold was killed at Peters and Beerman streets, in the southwest section of the city.

Lieutenant C. E. McCrary announced last night that he would send Detectives Douglas Poole and D. L. Taylor to Birmingham to return Bloodworth here for trial.

NEGRO SENTENCED

Sparta Judge Congratulates Citizens for Restraint.

SPARTA, Ga., July 6.—(AP)—Winton Boyer, negro slayer of a Sparta policeman, heard the death sentence pronounced today for the second time. He is to die July 24 in the electric chair at the state prison in Milledgeville.

Alleged Bandit Slain In Attack on Officer

An armed negro, who Wednesday night, allegedly held up J. D. Jones, of Cascade Heights, and a woman companion, was slain yesterday afternoon by Captain E. D. Foster, of the DeKalb county police, when he attacked the officer following his capture at Rex, Ga.

The news story carried in The Constitution yesterday morning was given credit by police last night for the negro's capture. Chief Dailey said the tip on the bandit's whereabouts came from a doctor at Stockbridge who treated him for the bullet wound. The doctor had read the account of the holdup and the negro's being shot in The Constitution and notified DeKalb police after he treated him.

Davenport was also identified yesterday by several other holdup victims and women victims of attacks, DeKalb police said.

The negro, listed by DeKalb county police as Willie Davenport, 23, of 199 Hunter street, yesterday was taken to the scene of the holdup, at Moreland and Confederate avenues, by Chief J. T. Dailey and Johnny Jones, investigator for the solicitor's office, to recover the victim's wallet in nearby woods. Captain Foster remained in the police car guarding the prisoner while Chief Dailey and Jones searched the woods for the wallet.

Captain Foster reported the negro attacked him in the car and that he shot in self-defense. The holdup victim identified the negro, police said.

NEGRO SHOT TO DEATH, POLICE HOLD WOMAN

Shot in the left side of the face with a bullet from a .45 caliber revolver, Sam Hanspike, 40, negro, rear of 321 Irwin street, N. E., was pronounced dead on arrival at Grady hospital shortly after 6 o'clock yesterday morning.

Charges of suspicion of murder were placed against Lillie Groce, 32, alias Lillie Hanspike.

ATHENS MAN CONVICTED IN SLAYING OF NEGRO

ATHENS, Ga., Oct. 13.—Herbert Couch, young white man, today received a life sentence in the penitentiary for the slaying of Carl Echols, alias Bud Troup, a negro, several weeks ago. Judge Blanton Fortson pronounced sentence.

A few hours after Couch was found guilty of murder with recommendation of mercy, another jury in Clarke superior court acquitted Walter Davis of being accessory before the fact in the same slaying.

The negro was mysteriously slain near his house on the outskirts of Athens and the two men arrested later.

Killings – 1936
6

Idaho.

BLACKFOOT, IDAHO
BULLETIN
MAY 13 1936

Can Such a Government Endure?

TWIN FALLS COUNTY is conducting a trial of a young negro woman to see if she is guilty, or to see how guilty she is, after shooting her colored sweetheart with whom she quarreled. The shot was fatal and she immediately hurried to the sheriff's office, told what she had done and surrendered herself and the gun. Out of a venire of eighty jurors they secured twelve to sit on the case, taking two days to sort them. The trial began today to see if she is guily, or perhaps to determine whether she was spoofing when she said she was the one who shot him. Will some jurist or expert in government come forth and explain the finesse of this kind of administration of justice? Perhaps he can explain also, how long a government can last while levying on its citizens to spend their time in such useless service.

Killings-1936

Illinois.

Negro Gets 199 Years For Murder In Chicago

CHICAGO, May 28.—(AP)—Thomas Starr, 28, negro rag picker and former circus roustabout, today was sentenced to 199 years in the Joliet State Prison for the murder of Miss Lillian Guild, 59, who was beaten to death in her room in the Y. W. C. A. Hotel on May 9.

Chief Justice Dennis J. Nornoyle of the Criminal Court imposed an additional sentence of one year to life, to run concurrently on a charge of burglary growing out of Starr's invasion of the room of Miss Lois Richert at the St. Luke's Hospital nurses' home five days after Mrs. Guild was slain.

Starr pleaded guilty to both charges.

CHICAGO, ILL.
NEWS

JUN 12 1936

THREATS SENT NEGRO STUDENTS OF EVANSTON

Evanston police disclosed today that threatening pamphlets bearing the signature "KKK" had been distributed at the Foster school, Foster street and Dewey avenue. The enrollment at the school is largely Negro.

A bundle of the pamphlets, warning colored citizens to "mend your ways or we will," was thrown out at the school several days ago from an automobile. The bundle was burned by a janitor. Later the pamphlets were distributed around the school property, under cover of darkness.

Most of the dodgers were picked up by janitors and burned and a few turned over by Ruby E. Rowley, the principal of the school, to Lt. Carl Eckman, acting chief of police of Evanston. Policemen Henry White and Ernest Leavell were assigned to investigate, but found no trace of the persons who distributed the handbills.

Eugene R. Arnold, a Negro graduate student at Northwestern university, revealed that one of the scurrilous bills had been thrust into his hands by a man in an automobile.

Boy Identifies Negro As Slayer of Mother

CHICAGO, Aug. 21.—(UP)—Esko Fisher, 23, gangling negro barber, tonight was tentatively identified by precocious 7-year-old Jimmy Thompson as the "tall, dark man" who murdered his mother, Mrs. Florence Thompson Castle, June 29 while Jimmy lay asleep beside her, police said.

Chicago's Hotel Murder Solved

Negro Confesses Slaying Mrs. Trammell; Says Motive Was Robbery

CHICAGO, Aug. 18.—(AP)—Capt. Daniel Gilbert of the State's Attorney's police announced tonight that Rufo Swain, alias James Gray, a negro gambler, had confessed the slaying of Mrs. Mary Louise Trammell, 24, in her hotel room Sunday.

Capt. Gilbert, with Swain and several other officers, left immediately for the State Street Hotel in which Mrs. Trammell's nude and beaten body was found, to re-enact the crime.

Swain was quoted as saying he took Mrs. Trammell's life when she resisted his attempt to rob her. Further details of the confession were not made known immediately.

Capt. Gilbert said Swain admitted the killing shortly after he was subjected to a series of questions, and was caught in several contradictions.

Swain voluntarily surrendered for interrogation after he said he read in newspapers he was wanted in connection with the slaying of the former Knoxville, Tenn., stenographer.

Lieut. Charles Egan of the State's Attorney's police and Asst. State's Atty. Morris Meyers participated in the questioning of Swain and reported they had "caught him in several lies" concerning the loss of a black notebook and laundry ticket, the finding of which on the fire escape of the hotel led investigators on his trail.

The officers said the negro first asserted he had lost the note book and ticket two weeks ago, and then told them he had not taken his clothes to a South Side laundry until eight days ago.

Gray's name entered the investigation through the note book, the laundry tag and a gaudy shirt traced to the South-side Laundry. There Audrey Tattum, 22-year-old negro cabaret entertainer whose name was in the note book, told Police Sergt. James Molman that the hunted man's name was Gray.

The suspect, however, said his real name is Rufo Swain, that he came to Chicago from Little Rock, Ark., and that his regular occupation was that of a bellboy or houseman. Detectives said he was once arrested on a "peeping Tom" accusation but was liberated when the charge was not prosecuted.

The note book containing the laundry tag was turned over to police by William Schumacher eight days ago. He said he found it on a fire escape shortly after he had frightened away a negro prowler who attempted to enter his room, situated on the floor below the one in which Mrs. Trammell's nude and beaten body was found by her husband, Thomas.

Sergt. Peter Bernacchi, said the negro had been sought for questioning in connection with the similar killing of Mrs. Lillian Guild, 50, who was beaten to death in her room at the Y. W. C. A. Hotel several months ago. Thomas Starr, another negro, however, confessed the Guild crime and was sentenced to 199 years in prison.

Dailies Fail To Mention Mob Murder

Hotel Case Played Up, But Negro's Slaying By Whites Ignored

CHICAGO — (ANP) — While Chicago dailies and the Hearst papers were devoting glaring headline to the arrest of Rufus Swain for the slaying of a white woman in a cheap hotel, the murder at the same time of a partly blind Negro by three whites at his home in a white residential area attracted scant attention from the daily press.

A. D. Adams, 48 year old relief client, was the victim of bullets by white assassins. Tuesday night he was sitting on his porch talking to Mrs. Eunice Gross-Doering and Mrs. Geneva Hill, 65 year old woman, when a dark sedan cruised leisurely down the street and stopped in front of their residence.

ASSASSINS IN CAR

"Come on, you niggers get off that porch," shouted a voice. The woman ran inside as the occupants of the car drew pistols and fired, one bullet striking Adams in the chest. The car then speeded away.

The building where the murder took place is in the rear of a Polish residential district. On July 1 an Italian real estate dealer named Peter Vitaceo rented quarters to three Negro families, the first to occupy this area. Although neighbors were friendly, several white people told Vitaceo to get the colored neighbors out of there.

HAD BEEN THREATENED

Adams himself received seevral threats and on August 16 hoodlums broke a window, coming back the next day to break another. Mrs. Hill, however, who lived on the third floor, had never been told to move.

Police were also investigating the possibility that the shooting may have come from Adams' alleged attentions to Mrs. Deering, former social worker and, investigator in the death some years ago of Octavius Granady on election day, who is the wife of a German. The three occupants of the death car have not been identified.

CHICAGO—(ANP)—Apparently suffering from a strange case of egomania, Rufo Swain, alias James Gray, 27 year old policy writer and former athlete, walked voluntarily into detective headquarters last week with an assortment of alibis that did not hold up and now faces prosecution for murdering three women at different times in Chicago hotels.

Swain, a well-built young man with a razor slash across his face, attended Arkansas Baptist College at Little Rock for two years and starred as a football player and high jumper in 1931. He was also well known in that section as a high school athlete. Since being in Chicago, he has taken what jobs he could and ended up writing for the illegal policy game operators.

The case which led to Swain's arrest was the hotel room murder of Mrs. Louise Trammell, white woman of Knoxville. Other guests at the hotel reported they had previously been molested and a notebook dropped by a marauder was found and traced to Swain. As police were scouring the entire Southside for him, Swain walked into detective headquarters downtown and told officers he had heard he was wanted for questioning in the case and thought he would "drop by." Swain was indicted Thursday for murder.

Indiana.

Killings-1936

FLEEING YOUTH KILLED AFTER CAR CRASHES

18-Yr.-Old WPA Worker On Death Bed, Confesses Purse Snatching

COMPANIONS CAUGHT

Three Others Who Escaped After Melodramatic Auto Chase Held on Charges

A fussilade of slugs from a policeman's shotgun brought death and "the wages of sin" to one member of a youthful bandit gang while the scales of justice will shortly weigh the the fate of three others captured after a melodramatic chase during which the four attempted to escape police who had been ordered to round up a gang of purse snatchers, fleeing in a stolen car.

Benjamin Porter, 18 year old WPA worker, 2151 Northwestern avenue, fell mortally wounded by a charge from the shot gun of Sergt. Charles Burkett, Friday night in the vicinity of Thirty-third and Central avenue, and died several hours later in the City hospital after confessing a purse snatching job. Taken with him was George Thomas, 16, 2535 Indianapolis avenue, who surrendered.

In the throes of death from the wound made by five shots that entered his back and bored through the stomach, the youth named two other companions and a short time later police arrested Sam Richards, 19, 1017 Roache street and James Conner, 19, 2102 Alfree street.

Youth Face Charges

All three are being held on charges of automobile banditry, and vehicle taking.

Radio squad cars in the vicinity of Thirty-third and Central were ordered to be on the lookout for an automobile bearing a youth who was reported by Mrs. Jean McElvaine, white, 2153 North Alabama street, to have snatched her purse as she was walking in the 2100 Block on North Meridian street Friday night.

Fifteen minutes later Sergt. Burkett's squad sighted the car carrying the four youths, and gave chase. The driver of the car lost control as he attempted to turn a corner at a high rate of speed and the boys were trapped when the car crashed into the home of Harry Markey, white, 420 East Thirty-third street. The officers' car, roaring behind in movie fashion skidded into a light post.

Porter and Thomas started in one direction, their companion fleeing the opposite one. Sergt. Burkett, pursuing the former pair, said he fired when the youths refused to heed his command to halt. Thomas surrendered, his hands raised after his pal had been brought down.

Funeral services for Porter were held at the King and King Funeral Home Monday afternoon.

KILLS OPPONENT IN CARD GAME

John Thigpen, 30, 705 N. Senate avenue, living in the K. of P. Apts., is being held in the county jail on a charge of murder in connection with the shooting of Ward-n Armstrong, 27, early Tuesday morning in the latter's home, 212 West Walnut street, during a card game.

Detectives who questioned Thigpen, reported he admitted the shooting, claiming that Armstrong cut him in the hand with an axe.

Thigpen was the sixth colored person charged with the slaying of another colored person since Jan. 1, this year.

Two things are absent in this picture which otherwise would make it the representation of an humble but truly happy home.

One is the inclusion in the group of an eighteen year old son, a willing worker and bread-winner who helped his father every day on a PWA job at the Indiana School for the Blind.

The other is a wreath of radiant smiles that would light the faces of every member of this family if the shadow of a terrible tragedy had not fallen across their home late last week.

The son, "Benge" as he was affectionately christened, died in the City hospital shortly after the deadly charge from a policeman's shotgun had torn a large hole through his body, as he attempted to escape capture along with three companions, as a suspect of snatching a woman's purse. Police said the car in which the boys were riding and which smashed into a house when the driver attempted to go round a corner too fast as a police car pursued, was stolen.

Whatever case the State might have had against the youth he has the bare unsympathetic police records will show he has expiated his crime with the supreme penalty.

On the tablets of memory that have already seared the souls of Mr. and Mrs. Charles Porter the case of the State that overtook their son will never be atoned. The world may look into the faces of this family and forget, but Mrs. Porter can never cease to wonder "why did this have to happen"?

"Benge", she said in a brave effort to hold back the tears, "was an unusually good boy. Obedient to his parents wishes and Christian training, he regularly came home about nine or ten each night. Six years ago he was baptised in an East side church. He was born here and educated in Schoools 56 and 26."

He chose to help his father support the family after reaching the eighth grade. Teachers there, his mother said always complimented him on his fine, manly conduct. Even his companions agreed he was never known to smoke, drink, or indulge in lustful pleasures. Though he never had a lesson, he developed a talent for music and became a good piano player.

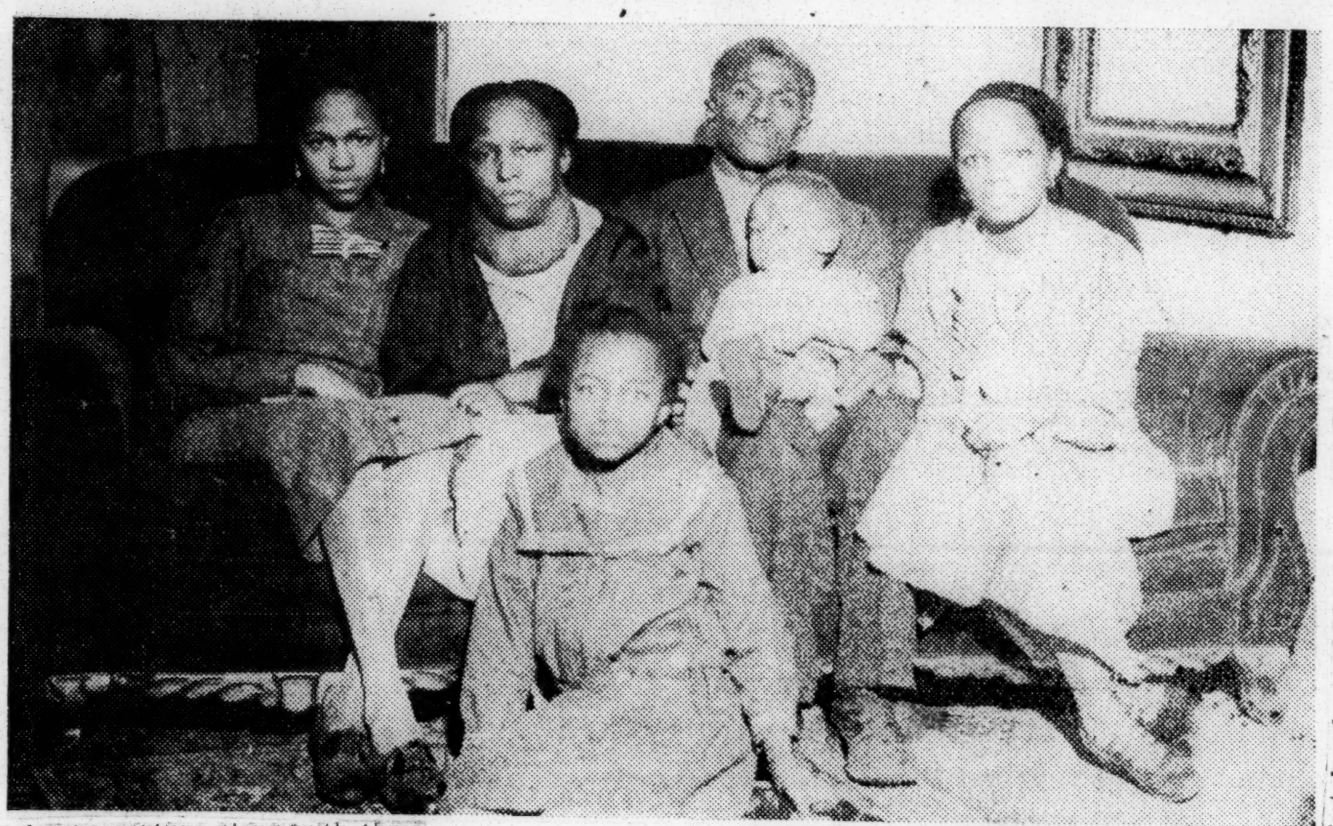
George Thomas, one of the boys captured and facing a serious charge, became his pal several years ago. The two went out frequently and met other boys.

"It must have been the bad associates he ran with that led my boy into this trouble", Mrs. Porter sobbed as she recounted the story of his life and training.

"Or perhaps the dislike of the officer who shot him made things worse", she added bitterly. She accused the officer of threatening to get the boy some time ago, following his acquital on a charge of turning in a false fire alarm.

The family is known among their neighbors as very respectable, peaceable and law-abiding. Besides Mr. and Mrs. Porter, their daughters shown in the picture are, Virginia Porter, Mrs. Fay Burris, and Willie Mae Porter (seated in front).

BAD ASSOCIATES HURRY "MODEL" YOUTH'S DOWNFALL



INDIANAPOLIS, IND.
NEWS
APR 23 1936

HOMICIDE RATE

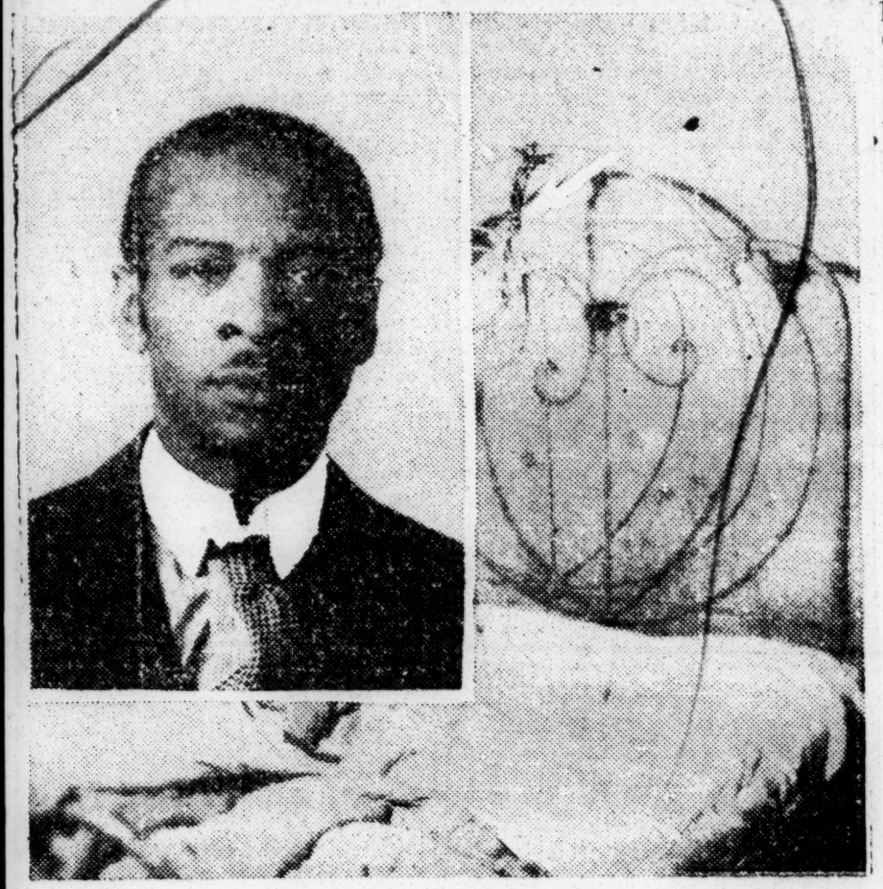
More Negro killings in Indianapolis have made the total, since the first of the year, fourteen. Only one white murder case has been reported. One of the Negroes with which the law must deal pleaded guilty in the criminal court and was sentenced this week to life imprisonment. This killing resulted from an argument over $2.

Responsible leaders of the Negroes are urging the law enforcement agencies to do something to stop the slaughter. One suggestion is for a police homicide squad to devote its attention to the Negroes who have been charged with capital crimes. The department has a homicide squad, which might devote its energies to these cases. Speedy trials and extreme penalties may do something to convince killers that such crimes are serious. If there are unusual delays in bringing the alleged felons to trial and if they escape with light sentences, little effort has been made to enforce the law. In connection with this lawlessness at its source of this year's murders, there is one of the surest ways of discouraging murder.

Indianapolis a homicide rate that seem to make killing among some rumors that in some of the Negro population has been made intoxicated, an will reflect discredit upon the whole somebody became intoxicated, an population. sections illicit liquor is available, argument followed and then a stab that gambling flourishes and that

The police department might well

Kills Sweetie, Commits Suicide



Indianapolis, Ind.—Within a few hours after John Adams, shown above, had slashed the throat of his sweetheart, Mrs. Mamie Lewis, from ear to ear with a razor and jabbed her breast thirteen times with a pocket knife, he committed suicide by hanging himself. Shown at the top of the bed is the necktie twisted around a piece of insulated wire he used for the purpose.

Death in the electric chair is the demand of both white and colored citizens of this city as one means of reducing the excessive murder rate among colored citizens, which has reached an all-time record since January 1.

MORE COLORED POLICE

The murder rate among colored people is abnormally high and the curative convictions abysmally low. The prosecutor's office has said that insufficient evidence often is the reason why the convictions are not constant. Investigation by police officers is not thorouogh enough it would seem. The colored police are not to pursue their duties too strenuously less they suffer political reprisal; the white ones are more or less indifferent. The answer, of course is: place more colored men on the police force; give them the authority — political bosses notwithstanding—to dare uncover and use evidence that will stick in court and bring convictions.

Colored people of this community have a right to expect protection at least in proportion to their population. Comprising one-eighth of the population of the city, they should have police representation according to that number. The present number is sadly below what should be the fair and just one. Not until the people of a community rise and demand adequate policing methods by men properly trained, by men free of political fear, by men who are urged to uncover and discourage law-breaking can the present high homicide rate be reduced. Not until a community demands that it be given men who care about colored people, who know how to deal with colored people, who are affected by changes in colored communities—in short, until there are many more colored officers, this community is absolutely justified in screaming to high heaven in denouncing whatever force or philosophy which denies this much-needed addition.

For instance, someone should logically explain why there is but one squad car among colored policemen. While the speaker has the floor he might cover the lack of lieutenants, sergeants and captains among the colored ranks. Since the fur is flying let up rip all the pelt off—let us demand a homicide squad to bring law and order to a ghetto gone made with lawlessness. There can be a healthy tone brought into Indiana avenue to supplant the reckless abandon and "reefer" hysteria which sweep the street like an ill wind.

Give this community more colored police. Let them clean up these abhorrent conditions. Private citizens may turn their thoughts elsewhere when these demands are met. Until they are, all possible pressure must be applied to achieve the ends.

NAME A CRIME SQUAD

"Murders in the colored district, of which there have been seven since November 1 can be reduced by reducing the carrying of firearms," Prosecutor Herbert M. Spencer told the press at the opening of the drive on crime prevention, especially murder.

Having had no murders or serious crimes during the last two weeks, the approximate period of the revival of police activity, a return from the dead kind of things, so to speak, it can be readily seen that there are those who believe the ghost story of police protection. As a matter of fact, it appeared that the police were about to set some kind of record by becoming mythical, legendary, and characters in stories of giants and drag-

ons and elves and things.

To keep the ball rolling to the end that murder be stopped, other crimes be lessened and the general welfare be other than a wish, it is demanded that a CRIME SQUAD headed by colored officers, be named. Two new policemen of the twelve recently called for service merely begin to fill the need.

An outraged public is demanding that these things be done. Support has been given present office holders because some feeble attempts have been made in the right direction. When these tottering efforts cease when there no longer is half-hearted measures advanced the fable of fair practice under the law will be complete.

Other cities have crime squads of colored police, some have colored personnel in crime prevention work. This city must have a crime prevention bureau, a colored squad—in short, there must be sufficient agencies to do effective work BEYOND the scene of the crime, to mitigate and obviate the potentiality for crime among juveniles, in addition to finding more in murders than a body, a gun, and a slayer.

Name a colored squad, a crime prevention agency,—we know some will have to be to their beds when this is done, but none can successfully deny that this is the American thing to do.

Killings- 1936

Kansas

MURDER TOTAL GOES UP 4 AS MONTH BEGINS

Two Men Shot to Death; Another's Skull Is Fractured

The week-end which ushered in the month of August was a "bloody" one for the police department's homicide squad which added to its record four Negro men, three of whom were shot to death and the other who died as the result of a fractured skull.

Shortly after 4 o'clock Saturday morning, August 1, police officers received a call to 2014 Belleview avenue, where they found Frank Ford, 52-year-old employe of the Frisco railroad, murdered as he slept in bed.

Ford had five bullet wounds, and died as the result of wounds of the head and chest, Dr. L. P. Richardson, deputy coroner, reported.

Ford Shot Five Times

He was shot twice in the forehead, once in the left eye, once in the right side of the neck and once in the left side of the chest.

According to Mrs. Emma Ford, 46-year-old widow, the shooting was done by an unknown assailant.

Mrs. Ford told the officers she and her husband were asleep that morning about 4 o'clock when she was awakened by what sounded like someone walking in the front room of her home.

She said she attempted to awaken her husband and without knowing whether he was awake or asleep she arose and went into an adjoining room.

While in this room she said she heard several gunshots that were fired in the room where she had left her husband. She saw an unknown figure, from the room where her husband was, go into the kitchen at the rear of the house.

Mrs. Ford continued her statement by saying she began screaming and ran out of the rear door of the home and called a neighbor, a Mr. Blake, 2012 Belleview, who called the police.

Arrest Widow

Following the taking of statements from a relative and friends of the deceased man, Mrs. Ford was arrested and placed in jail for further investigation.

Mrs. Frankie McGinnis, 1110 Brooklyn avenue, daughter of the murdered man, made a statement to the homicide squad in which she revealed that her father "had been afraid that she (Mrs. Ford) would kill him at any time."

"In March, 1935," continued the daughter, "my father told me that his wife had shot at him with a revolver.

"At that time he gave me a list of relatives including his sisters in Los Angeles and a brother in Oakland, Cal., whom he wanted to notify in case anything happened," the daughter related.

Edward Robinson, 44, 1845 Belleview avenue, who had been a friend of Ford's for 12 years and at present was a neighbor, also made a statement in which he said the man's life had been threatened.

According to Robinson, Ford, about a month ago, "told me he was figuring on moving away and that he was not sure what to do as he was afraid of his wife because she had threatened to kill him on several different occasions.

"On July 31," continued Robinson, "I was talking with Ford and he was in a hurry and said that his wife was fussing at him and he had to get home. He also stated that his wife had a small calibre revolver for which he had hunted but could not find."

Tells of 'Threat'

Another statement was taken from Mrs. Ora Fields, 27, 1738 Jarboe avenue, who had known Ford for eight years.

"Mr. Ford told my mother, Mrs. Gertrude Knighten, and myself, last Thursday that he was afraid to eat his wife's cooking as he was afraid she would poison him—but that she had made a statement to him that she would shoot him before she would poison him," Mrs. Fields said.

At the police station Mrs. Ford denied having made threats upon her husband's life.

The Ford slaying was cleared up Tuesday when Mrs. Ford who had been in jail since Saturday made a statement to the homicide bureau in which she admitted the slaying of her husband.

She said she fired the shots and then hid the revolver in a flour barrel of her home. Officers found the revolver there.

Ford's body is at the West, Appleton and Jones undertakers where funeral arrangements have not yet been completed.

William Cooper Killed

While officers were investigating the murder of Ford, William Cooper, 50, 1304 Highland avenue, was shot to death at 10:30 o'clock Saturday morning, in front of 1616 East Thirteenth street.

Cooper died instantly of a bullet wound of the head, Dr. Richardson, deputy coroner, reported. His body was taken to West, Appleton and Jones funeral home.

Police officers are in search of the assailant who shot Cooper and then escaped.

According to witnesses, the assailant met Cooper in front of the Thirteenth street address where a fight ensued. The assailant drew a gun and shot Cooper in the head.

Curtis Walker Dead

Curtis Walker, 58, died of a fractured skull early Sunday morning, August 2, shortly after a blow from the hand of Herman Hughes, 21, 1623 Virginia avenue, caused him to fall and strike his head against a concrete step at the southwest corner of Eighteenth and Charlotte streets.

Hughes, who was arrested at the scene, told officers he struck Walker with his fist after Walker had struck him.

Hughes said he had started to a night club at Eighteenth and Charlotte streets, where he ran into Walker whom he had known for some time, having been in CCC camp with him.

"Walker had been drinking and was sitting down on a stone step.

"When I tried to get him to go home," Hughes continued, "he struck me on the right side of the face. I then in return struck him back knocking him down to the pavement.

Hughes Released

"After he fell I lifted him up trying to get him on his feet. When I saw he could not stand up I sat him down. He seemed to be unconscious. A short time later officers arrived. I then found out Walker had died," Hughes related.

Hughes who has been employed for two years at a battery company at 1600 Locust street, was taken before the prosecutor who released him Monday, August 3, on grounds of "self defense."

Walker's address was unknown. It was given near Eighteenth street and Troost avenue. His body was sent to the West, Appleton and Jones undertakers.

John Williams Slain

Another slaying of a man which took place on Tuesday morning, August 4, raised the total to four since the beginning of the month.

John Williams, 50-year-old WPA worker, was shot five times, about one o'clock Tuesday morning, at 1412 Tracy avenue. He died of bullet wounds of the head, Dr. L. P. Richardson, deputy coroner reported.

Police arrested Mrs. Essie Brown, 38, 1412 Tracy avenue, who admitted shooting Williams when he attempted to break into her home that morning.

She said Williams had been at her home on August 1, when he caused a disturbance by breaking the door of her home. She had him arrested and on August 3 he was fined $100 in the North Side court and given a stay if he promised not to molest the woman again.

To 'Break Down' Door

He returned to Mrs. Brown's home early Tuesday morning when he threatened to break down her door again if she would not admit him, the woman told police officers.

Mrs. Brown said she fired five times at Williams through a window of her home when the man was removing a screen to gain entrance.

Brown's body was sent to West, Appleton and Jones funeral home, where arrangements have not yet been completed, awaiting information from relatives in LeCompte, La.

Sgt. Frank Howland of the homicide and his squad of men have been on the job both night and day during the week in order to successfully clear up the murders.

Killings - 1936

Kentucky

Nordic Dies For Murder Of Race Man

Defender
3-24-36
Chicago, Ill.

EDDYVILLE, Ky., March 27—The first white man ever executed in the state of Kentucky for murder of a Race man died in the electric chair here last Friday. The man was Erline Whitehead, 35, who was convicted of killing John Allen of Barren County, at the latter's home two years ago during an attempted hold-up.

The disillusioned doomed man walked feebly to his death, wondering what strangeness had come over justice in the South in the relations between blacks and whites. He couldn't recall to his mind having ever heard of a white man dying because he killed a black man.

His last words before he died were a farewell to the warden, and the lamentation that he didn't think he "got a square deal." He had been in prison more than a year, and much of that time ill.

Earlier Whitehead ate a hearty supper and talked for some time with a priest, Father Vance of Hopkinsville. He admitted the killing.

Testimony at the trial revealed that in the fall of 1934 Whitehead with a companion entered the home of John Allen on the pretext of warming up at the latter's fireside. The shooting of Allen occurred when he and his wife refused to hand over their savings in an attempted hold-up.

EAST ST. LOUIS, ILL.
JOURNAL

MAR 22 1936

Toward Constitutionalism.

For the first time in all Kentucky history, a white man has been executed for the murder of a Negro. This exceptional effort to demonstrate an equal justice comes only after countless occasions on which Negroes have been done to death by their white neighbors, and a deplorable number of occasions on which Negroes have been executed—often without legal trial—for attacks upon whites.

A single example of this sort makes news, but is not sufficient basis for the supposition that legal equality finally has been attained. It is a safe guess that evidence required for conviction of a white man in a case of this sort was far more complete and positive than, say, the flimsy evidence mustered against the Negro boys condemned at Scottsboro, Ala.

DECATUR, ILL.
HERALD

MAR 21 1936

Toward Constitutionalism.

For the first time in all Kentucky history, a white man has been executed for the murder of a Negro. This exceptional effort to demonstrate an equal justice comes only after countless occasions on which Negroes have been done to death by their white neighbors, and a deplorable number of occasions on which Negroes have been executed—often without legal trial—for attacks upon whites.

A single example of this sort makes news, but is not sufficient basis for the supposition that legal equality finally has been attained. It is a safe guess that evidence required for conviction of a white man in a case of this sort was far more complete and positive than, say, the flimsy evidence mustered against the Negro boys condemned at Scottsboro, Ala. This much is to be said for Kentucky: Not to this day has any news come of an equally severe treatment for any white murderer of a Negro in the states of Alabama, Georgia or Mississippi, all notorious for their butchery of blacks.

COURT BLOCKS HANGING

Negro Scheduled to Die at Hands of Woman Gains Writ

LOUISVILLE, Ky., July 29.—(AP)—Federal Judge Elwood Hamilton today blocked thehanging of Rainey Bethea, negro ex-convict 22, which 10,000 persons expected to see a woman sheriff conduct at Owensboro, Ky., Friday.

Bethea's lawyers said his constitutional rights were transgressed at the trial in which h epleaded guilty to attacking a 70-year-old woman. Judge Hamilton granted a writ of habeas corpus, with a hearing next Wednesday morning.

Bethea was linked to an attack on Mrs. Eliza Edwards, who was robbed and slain. Officials testified he retracted a confession.

Mrs. Florence Thompson took charge of preparations for the execution. She intimated she would spring the trap herself.

Those who have read accounts of lynchings will not be unfamiliar with such exhibitions of depravity. What is all but incredible, however, is that a state government should be responsible for arranging this one. Capital punishment under any circumstances is morally questionable; capital punishment administered by the state for the amusement and the degradation of its citizens and their children, is unspeakably revolting. As in the case of every lynching, the principal victim was not the man who in a brief moment of suffering dropped to his death, but the community whose people were brutalized by watching and participating in the event. What conception of the value of human life can be expected in children who have seen the killing of a man made the occasion of a public show? Years of effort by school and church, it is fair to say, will not undo the moral damage which Owensboro suffered in a single night.

A Roman Holiday

Kentucky had a Roman holiday last week. That which the mob usually does in the bushes was brought out into the open, and so it was that ten thousand blood-thirsty savages met to witness the legal killing of a black boy.

Of course they called it a legal killing, while a Louisville policement sprung the trap "just for the fun of it." But the ghouls who seek such grim relics as the clothing on the dead man's body will for years sherish pieces of wood from the scaffold and portions of the death hood which Rainey Bethea wore on his head.

So blood-thirsty were the 10,000, and so well did they identify themselves as the mob, can be shown in the fact that the assembled savages did not want time allowed for the condemned black boy to pray. That sounds like the attitude and complex of the mob. It also sounds like the spirit of the mob when we say that under Kentucky law it is not necessary to have a public hanging; such matters are optional with county officials.

Here are two comments coming from daily newspapers, which reflect the opinion of the nation generally towards Kentucky's public hanging:

Said the St. Louis Star-Times:

"As a civilized and cultured people we are still crude. We wouldn't engage in such a bloody orgy as that going on in Spain, and we would not bomb an enemy unless we were at war with him. The people of Kentucky are not much different from the people of Michigan, where the Black Legion recently killed Negroes for the fun of watching them die. In many states the crowd gathers on short notice to see a victim strung up by a mob that can'twaitfo r the sheriff. It's the same urge that sent our forefathers to the training camp to cheer louts who got into fights and gouged out each other's eyes or bit off their noses or ears. If we don't yield to theseim pulses ourselves we tolerate it in our fellow citizens. It's a great people that can find progress by measuring its footsteps."

Commented the Washington Post:

"The whole episode belong to the sorrier aspects of American life. It goes to prove that despite our vaunted civilization there are still

Kentucky Puts on A Hanging

Christian Century
8-26-36

IT MIGHT be wiser—as it would certainly be easier—to pass over in silence the ghastly night last week when some ten thousand persons in Owensboro, Kentucky, made holiday while waiting to see a twenty-two year old boy hanged at dawn. All night the small city's streets were alive with excited throngs hurrying to get choice places near the gallows, where hot dog and drinks vendors hawked their wares to the waiting crowds. The gallows had been built twenty-five feet high to enable everyone to see the execution and the space beneath the trap, which is ordinarily enclosed, was left open so that the actual death of the victim might be witnessed. Men and women held up their children for a better view. A chivalrous gentleman in a white linen suit was the executioner, relieving the lady sheriff, who, although she had planned the whole affair, preferred to watch it from her car, as a lady should. There were jeers for the condemned man when he was finally led to the scene and loud expressions of impatience when he paused for a second at the foot of the scaffold stairs to pray. After the trap was sprung souvenir hunters tore into shreds the black hood which had concealed the face of the still hanging corpse.

many seemingly decent, kindly folk in whom the aboriginal savage lies very close to the surface.

"People came not only from the immediate vicinity but from distant places to participate in this foul orgy. To make sure that they would miss no detail, many of the spectators took their places around the scaffold many hours before the time set for the execution. Not the least disgusting aspect of this saturnalia of sadism was the presence in the crowd of women, some with babes in their arms, of boys and girls—over 10,000 spectators in all.

"In most parts of the United States public executions have long since been barred. The need for eliminating all exceptions to this rule has now been demonstrated. It is a disgrace to the entire nation that such barbaric occurrences as the one at Owensboro are not merely possible, but actually prescribed by law."

CRIME

Party

Kentuckians convicted of every capital crime except criminal assault die in the electric chair. For rapists the penalty is hanging in the county where the crime was committed. Last year 1,500 sightseers packed Smithland to see William Thomas De Boe become the State's first white man hanged for rape (TIME, April 29, 1935). Last week in Daviess County, which has not had a hanging since a private one in 1905, a Negro outdrew white William De Boe nearly 7-to-1 as a gallows performer.

Added attraction at the execution of 22-year-old Rainey Bethea, who raped and strangled a 70-year-old white woman, was Kentucky's only female sheriff, plump, matronly Mrs. Florence Thompson. When her husband died four months ago, Governor Albert Benjamin ("Happy") Chandler passed his job on to her. It thus became her duty to spring the trap under Bethea. A devout Roman Catholic, Sheriff Thompson consulted her priest, learned from him that nothing in canon law prohibited her from sending the blackamoor to his legal death. Protestant churchmen concurred. Nevertheless, soft-hearted Sheriff Thompson sighed: "I suppose I will spend the rest of my life forgetting—or trying to forget." Would she lose her nerve at the last minute was the big question last week at Owensboro, scene of the hanging.

Night before the execution, Owensboro was host to the greatest crowd in its history. Cars poured in from neighboring counties, Illinois, Indiana, Missouri. Every bar was packed to the doors. Down the main street tipsy merry-makers rollicked all night. "Hanging parties" were held in many a home. Sheriff Thompson's 17-year-old daughter sneaked out against her mother's orders to attend one. As before the execution of Rapist De Boe, one motorist was in such a hurry to get to the scene that he cracked up, killed himself.

The hanging was scheduled for dawn (5:12 a. m.). By 3 a. m. the lot near the Ohio River where the scaffold was erected overflowed with 10,000 men, women and children. Hawkers squeezed their way through the crowd selling pop, hot dogs. Telephone poles and trees were festooned with spectators. By 4:30 a. m. the crowd crushed through the wire fence around the scaffold. Police had a hard time getting Phil Hanna from Illinois, whose knowledge of knots has made him a distinguished necessity at 80 hangings, to the gallows. Businesslike, he tested the trap three times, found it good.

International

RAINEY BETHEA & EXECUTIONERS

Sheriff Thompson lost her nerve.

At 5 o'clock the sky was dove grey. The crowd grew impatient, began to yip: "Let's go! Bring him out!" At 5:20 a. m. Bethea, his stomach bulging with chicken, pork chops and watermelon, was pushed through the crowd to the base of the platform. "I don't like to die with my shoes on," he said, sitting down on the bottom step and taking them off. Up the 13 steps to the platform he walked. Then for the first time the crowd learned that Sheriff Thompson could not nerve herself to her job. Fingering the trap lever instead was Arthur ("Daredevil Dick") Hasch, a pensioned Louisville policeman, deputized by Sheriff Thompson. The Sheriff miserably sat in her automobile 50 yd. away. Assistant Hangman Hanna adjusted the noose. Unlike Rapist De Boe, who was permitted to quarrel for an hour with his victim, Negro Bethea had nothing to say. "Man, he's there!" whispered an admiring spectator. The hot-dog sellers fell quiet.

At 5:25 a. m. everything was ready. At 5:28 there was a *swish*, a *snap*. Doctors climbed through the supports, felt Bethea's pulse. The spectators closed in. At 5:44½ a. m. physicians pronounced Bethea dead. With a yell the spectators charged from every side, eager hands clawed at the black death hood. In a moment it was torn to shreds. The lucky ones stuffed the bits of black cloth proudly into their pockets. Slowly the crowd straggled away.

Ky. Interrace Commission Approves Public Hangings

LOUISVILLE, Ky.—In a recent letter to the Louisville Times last week, P. H. Callahan, member of the State Interracial Commission, defended the recent public hanging of a colored man convicted of assault, in Owensboro Ky., and denied that prejudice entered into the matter.

"There were some colored people in my office much wrought-up over the Owensboro affair," said the philanthropist, "and while otherwise very well-informed, had forgotten that it was only a few months ago that a white man was executed in the very same way in a nearby town.

"Furthermore, the victim in this case is still living, while in the Owensboro case, the victim, seventy-five years of age, was murdered.

A Lynching Cure?

"I doubt if any of our papers have made it sufficiently clear," continued the writer, "that the law in question calling for a public hanging for a certain offense had the approval of members of the Interracial Commission, who with the legislators, were influenced by the thought that such a law, with a public hanging in the county where such a crime had been committed, would make unnecessary those lynchings with which we have been cursed.

"While it is to be admitted that these affairs are very ghastly, they may have had the result expected, for lynchings have about disappeared in Kentucky, but we may have to admit this is another case where the cure is worse than the disease."

Killings-1936

Michigan.

BLACK LEGION COUNCILMAN IS SUSPENDED

Trial of 5 Terror Band Killers of Negro Is Speeded in Detroit

(Daily Worker Michigan Bureau)

DETROIT, Mich., Nov. 22.—Following a heated meeting of the Highland Park city council, R. Stanley Wilson, one of its members, was suspended for membership in the Black Legion.

The former chief of police of Highland Park, Elwood Sparling, was similarly removed some time ago for membership in the terror society. Willson will face a public hearing Tuesday.

Meanwhile in the court of Judge Donald Van Zile, the trial was speeded of five Black Legion leaders for the "thrill murder" of the Negro laborer Silas Coleman. The first jury panel was already exhausted.

The trial is expected to reveal the horrible, sadistic nature of the Black Legion. Two of the killers confessed how Col. Harvey Davis ordered the Negro to be kidnapped to a drinking party at a lake cottage, because he wanted to see "what it's like to kill a nigger."

murdered Silas Coleman, a Negro laborer "just to see what it's like to kill a nigger."

He again told how Col. Harvey Davis, one of the defendents, asked him to get a Negro and bring him to a lake cottage where terrorists at a drinking orgy wanted to have some "target practice." He told how Coleman was enveigled to go to this cottage under the guise that he will collect $18 back wages coming to him from a contractor.

The courtroom was crowded. There were many Negro people present.

CHOOSE VICTIM

Asked by assistant prosecutor William E. Dowling if Davis asked him for any particular Negro, Dean answered:

"No, he said it didn't make any difference. I told him I didn't know any Negro but I would see Charlie Rouse about it. Charlie Rouse said he had just the man for me. He explained he had a fellow working for him he had picked up on the street and no employment agency had sent him, so there wouldn't be any records or anything."

Dean described how Coleman when brought to the cottage was taken near Rush Lake on the pretext that the contractor who owes him the money is there fishing. Dean continued:

"Everybody got out except Rouse. Coleman said: 'I don't see any boat out here.' The others were standing in a group. Davis said 'Let's go get him.'

SPLIT $18

"Coleman was facing us and we got our guns out. Davis fired first then Lorance, Lee and Bannerman fired. The Negro started to say something but he let out a kind of a gurgle. . . ."

Later Dean said all returned to Davis' cottage and had several drinks. Rouse gave Dean $10 of Coleman's money and kept $8 for himself. "Divide the $10 up among the boys," Rouse said. On the following day, Dean said when he met Davis at work, Davis told him to say nothing to the others about the $10 and split it between the two.

TELLS KILLING OF NEGRO BY BLACK LEGION

Lured Victim to Spot on Pretext of Paying Him Wages Due

11-29-36

(Daily Worker Michigan Bureau)

DETROIT, Mich., Nov. 26. — Dayton Dean, Black Legion triggerman again took the stand yesterday, this time against the five terrorists who

Killings - 1936

Mississippi

FREEDOM IS NEARER FOR SHARECROPPER TRIO SAVED BY U. S. SUPREME COURT

Jackson, Miss., Sept. 25.- After a spirited and hard-fought battle of legal technicalities here last week, three colored sharecroppers, Ed. Brown, Henry Shields, and Yank Ellington were one step nearer freedom in their long battle against the charge of having murdered a white Kemper county farmer in May, 1934.

Judge A. H. Longino, after listening to the argument of Earl Brewer, Esq., attorney for the trio, granted a writ of habeas corpus to discharge the men completely.

District Attorney John C. Stennis of Kemper county and three assistants immediately filed an appeal before Judge Longino asking that the writ just granted be superseded until the supreme court could hear the case on appeal. Objection was made by counsel for the three men and Judge Longino sustained it. Technically, for these few moments, the defendants were free men. However, the prosecuting attorneys then appeared before Chief Justice Smith of the Mississippi supreme court and got an order from him superseding the discharge of the defendants until the matter could be heard in the supreme court.

Held Illegally, Attorney Says

The argument of Mr. Brewer before Judge Longino was that the defendants were being held in violation of the decision of the supreme court of the United States and in violation of the Constitution, and that the indictment pending against them was fraudulently obtained by introducing before the grand jury convictions obtained by fraud. Mr. Brewer interpreted the sensational decision of the United States supreme court as an exoneration of the defendants and charged that to return them to Kemper county for another trial was "inviting a lynching, for they have no evidence that these men are guilty other than that evidence the supreme court has declared void".

In handing down his decision, Judge Longino said that it was apparent the Negroes had not been given a "fair and impartial trial in Kemper. If I send them back there for a second hearing on murder charges this court would be a party to a lynching. My interpretation of the supreme court decision is, that in part it exonerates these defendants. Since the state can produce no additional evidence than was introduced at the original trial and which has since been declared invalid, it is my opinion that these three parties are being held unlawfully and by this decree give them their freedom."

Tortured to get Confession

Brown, Ellington, and Shields were quickly convicted of murder and sentenced to death by a court in Kemper county, Mississippi in the spring of 1934 after a trial in which the only evidence against them consisted of "confessions" they were alleged to have made that they killed Raymond Stewart, a white tenant farmer.

At the trial deputy sheriffs freely testified that the prisoners had been beaten to make them confess and one deputy made the historic remark, "The beating was not too much for a Negro." The case was appealed to the Mississippi supreme court by John A. Clark, an attorney of DeKalb County, where the opinion of the lower court was sustained.

However, two justices of the Mississippi supreme court in a dissenting opinion scored the torture of the men and called the case "worse than the Scottsboro cases." With these dissenting opinions as ammunition the National Association for the Advancement of Colored People, the Interracial Commission, and individual white and colored citizens of Mississippi carried the case to the United States supreme court which last spring handed down a unanimous, scorching opinion reversing the convictions and virtually exonerating the three men. In delivering the opinion of the court Chief Justice Charles Evans Hughes declared "the rack and torture chamber may not be substituted for the witness chair."

Killings - 1936

Mississippi

FREEDOM IS NEARER FOR SHARECROPPER TRIO SAVED BY U. S. SUPREME COURT

Jackson, Miss., Sept. 25.- After a spirited and hard-fought battle of legal technicalities here last week, three colored sharecroppers, Ed. Brown, Henry Shields, and Yank Ellington were one step nearer freedom in their long battle against the charge of having murdered a white Kemper county farmer in May, 1934.

Judge A. H. Longino, after listening to the argument of Earl Brewer, Esq., attorney for the trio, granted a writ of habeas corpus to discharge the men completely.

District Attorney John C. Stennis of Kemper county and three assistants immediately filed an appeal before Judge Longino asking that the writ just granted be superseded until the supreme court could hear the case on appeal. Objection was made by counsel for the three men and Judge Longino sustained it. Technically, for these few moments, the defendants were free men. However, the prosecuting attorneys then appeared before Chief Justice Smith of the Mississippi supreme court and got an order from him superseding the discharge of the defendants until the matter could be heard in the supreme court.

Held Illegally, Attorney Says

The argument of Mr. Brewer before Judge Longino was that the defendants were being held in violation of the decision of the supreme court of the United States and in violation of the Constitution, and that the indictment pending against them was fraudulently obtained by introducing before the grand jury convictions obtained by fraud. Mr. Brewer interpreted the sensational decision of the United States supreme court as an exoneration of the defendants and charged that to return them to Kemper county for another trial was "inviting a lynching, for they have no evidence that these men are guilty other than that evidence the supreme court has declared void".

In handing down his decision, Judge Longino said that it was apparent the Negroes had not been given a "fair and impartial trial in Kemper. If I send them back there for a second hearing on murder charges this court would be a party to a lynching. My interpretation of the supreme court decision is, that in part it exonerates these defendants. Since the state can produce no additional evidence than was introduced at the original trial and which has since been declared invalid, it is my opinion that these three parties are being held unlawfully and by this decree give them their freedom."

Tortured to get Confession

Brown, Ellington, and Shields were quickly convicted of murder and sentenced to death by a court in Kemper county, Mississippi in the spring of 1934 after a trial in which the only evidence against them consisted of "confessions" they were alleged to have made that they killed Raymond Stewart, a white tenant farmer.

At the trial deputy sheriffs freely testified that the prisoners had been beaten to make them confess and one deputy made the historic remark, "The beating was not too much for a Negro." The case was appealed to the Mississippi supreme court by John A. Clark, an attorney of DeKalb County, where the opinion of the lower court was sustained.

However, two justices of the Mississippi supreme court in a dissenting opinion scored the torture of the men and called the case "worse than the Scottsboro cases." With the opinions as ammunition the National Association for the Advancement of Colored People, the Interracial Commission, and individual white and colored citizens of Mississippi carried the case to the United States supreme court which last spring handed down a unanimous, scorching opinion reversing the convictions and virtually exonerating the three men. In delivering the opinion of the court Chief Justice Charles Evans Hughes declared "the rack and torture chamber may not be substituted for the witness chair."

Since last spring the three defendants have been confined to the Hinds county jail here to prevent any possible violence from Kemper county. Legal moves in their behalf have been delayed by the court calendar, vacation schedules of judges, etc. The attorney for the men, Earl Brewer, Esq., is a former governor of Mississippi and it was his convincing argument before the supreme court in Washington which turned the tide of victory.

NEGROES TAUNTED WHILE ON GALLOWS

Two Executed In Mississippi For Slaying Of White Men

GRENADA, MISS., Nov. 6. — (AP) — Taunted by a noisy crowd of some 200 men, two negro farm workers died on the gallows here today for the slaying of two young farm overseers.

Andrew Hemphill, 45, and Tommie Jones, 43, standing side by side, fell through the trap at 5:56 a.m. They were pronounced dead seven minutes later.

Bitter feeling followed the slaying of William Simpson, Jr., and W. R. Ingram near LeFlore last Aug. 12. Their slayers twice were saved from possible violence by their speedy delivery to Jackson after the arraignment and subsequent trial when the death penalty was pronounced.

The crowd taunted the two negroes today from the time they stepped out of Sheriff Dave Dogan's automobile after the trip from Jackson.

Officers had difficulty holding some of the men back when the negroes were hustled up the platform. After the hangings, several men scrambled for pieces of the hangman's rope. Fully two dozen pieces were cut and carried away.

Both negroes maintained a stoic calmness during the ride from the Jackson jail and up until the hanging. Each claimed the overseers were shot in self-defense.

Simpson, a former Duke University athlete, resided at Turrell, Ark., before coming here to operate a plantation. Ingram formerly resided at Earle, Ark.

An argument followed a visit of the overseer to the home of a negro worker. Ingram died almost instantly from a bullet wound while seated in his automobile. Simpson, standing near the car, tottered and fell. He was taken inside a negro cabin where he died. His wife reached his bedside before death came.

Just before Sheriff Dogan conducted the execution, assisted by Sheriff C. E. Busby, of Yalobusha County, and Sheriff Harry Dogan, of Tallahatchie County, the doomed men held a brief religious service with a group of ministers officiating.

KILLS 2 NEGROES

SENTENCED TO DIE

Mississippi White Man To Hang For Brutal Torch Murders

11-14-36

JACKSON, Miss. — That William C. Mitchell, white farmer of Yalobusha County, must pay the supreme price—death on the gallows—for the violent murder of two colored men was the decision of the Mississippi Supreme Court on Monday.

Reeking with inhumane and barbaric details is the story of how Mitchell and a brother-in-law robbed the two men of $88, tying, blindfolding, and knocking them insensible in their cabin and finally saturating them with kerosene, applying matches to their heads and burning them to death.

The brother-in-law, Arthur Cook, confessed and turned State's evidence on the gruesome tragedy. A colored woman, badly beaten, crawled from the house to identify the two whites.

"Why didn't they set you afire?" queried the District Attorney.

"The Lord wouldn't suffer them to burn me, the way I was praying, he wouldn't," was her reply.

The execution of a white man in Mississippi for the slaying of a Negro is almost unprecedented in the history of the state, the only other exception having been made in 1889.

Birmingham, Ala. News
November 29, 1936

COMPROMISE FOR NEGROES IS GIVEN

Three At Columbus Meted Sentences In Stewart Slaying Case

COLUMBUS, Miss. — The state and counsel for three Kemper County Negroes, accused of the murder of Raymond Stewart, white planter, compromised their case Saturday.

The trio, Yank Ellington, Ed Brown, and Henry Shields, entered pleas of guilty to charges of manslaughter and were sentenced by Judge W. W. Margruder.

Brown received 10 years, Shields five and Ellington three with each to get credit for time already served, two and one-half years.

The compromise, ending a sensational case that had been to the United States Supreme Court and had been remanded for another trial, was effected by District Atty. John C. Stennis and former Gov. Earl Brewer, representing the accused trio.

Stewart was killed in Kemper County March 21, 1934, and the Negroes were arrested shortly afterwards. They were convicted in Circuit Court in Kemper County and sentenced to be hanged. On appeal, the sentence was affirmed by the State Supreme Court after a dissenting opinion had made a scathing attack upon alleged unlawful methods of obtaining confessions.

The U. S. Supreme Court in remanding the case, also scored officers or citizens for alleged third degree methods.

Six weeks ago it was decided to transfer the second trial to Lowndes County at Columbus, which is in the same judicial district as Kemper County.

District Atty. Stennis was the original prosecutor, but the trial judge at that time was former Judge J. I. Sturdivant, of Columbus.

KEMPER MURDER CASE ENDS IN COMPROMISE

Negroes Plead Guilty, Sentenced to Pen

11-29-36

FINAL CHAPTER WRITTEN

State Denies Whippings Which Were Denounced by Supreme Court of the United States—Agreed Only to Get Rid of It

Special to The Commercial Appeal

COLUMBUS, Miss., Nov. 28.—District Attorney John C. Stennis and former Gov. Earl Brewer, defense counsel, today compromised the murder charges against three Kemper County negroes accused of the murder on March 21, 1934, of Raymond Stewart, a planter.

With passing of sentence by Judge W. W. Magruder, the final chapter in the long drawn out case, which went to the United States Supreme Court, was written. The trio, Henry Shields, Yank Ellington and Ed Brown, entered guilty pleas to manslaughter. Brown was given 10 years, Shields five and Ellington three.

Under the agreement, each defendant will receive credit for 30 months already spent in jail.

Stewart was shot to death on his farm, 14 miles east of DeKalb. He was a bachelor. Shortly after the laying, the negroes were arrested nd allegedly made confessions, reputedly because a posse of officers resorted to third degree tactics.

Vigorous Dissent

The negroes were convicted in Kemper County circuit court and sentenced to be hanged. The sentence was affirmed by the Mississippi Supreme Court, although a dissenting opinion by Judge Griffith made a scathing attack upon the reported "torture" method of securing confessions.

The United States Supreme Court, in remanding the case, criticized officers or citizens with equal vigor, declaring such procedure was contrary to American justice.

Six weeks ago it was decided to transfer the second trial to Lowndes County at Columbus, in the same judicial district as Kemper County. District Attorney Stennis was the original prosecutor but the trial judge at the time was former Judge J. I. Sturdivant of Columbus.

Whippings Denied

With the compromise, the November session of court was adjourned here. The case had originally been set for next Monday.

The state denied that officers had whipped the accused negroes, although it did not deny that a group of citizens beat them.

In announcing the compromise, District Attorney Stennis declared he wished to make it clear that "the negroes were not whipped by officers of the Kemper County circuit court."

The prosecutor said that in his opinion the punishment was not agreed to by the state to meet the crime, but was agreed to because of the legal situation that the case was in.

NEGRO SHOT TO DEATH

Brother of Chickasaw Sheriff Admits Slaying

OKOLONA, Miss., Dec. 2. — Governor Jackson, 35-year-old negro presser employed by a local dry cleaning establishment, was shot and killed yesterday, and Hob Anderson, 40, cattle buyer and brother of C. W. Anderson, sheriff of Chickasaw County, surrendered to Deputy Sheriff F. L. Spencer.

According to Spencer, Anderson admitted killing the negro and claimed that he had made an insulting remark.

The shooting took place in the rear of the plant where the negro was at work.

Birmingham, Ala. News
December 7, 1936

A Sample Of Southern Justice

From Water Valley, Miss., comes the story that William Clark Mitchell, a white man, has been condemned to hang for the murder of a Negro. Arthur Cook, a brother-in-law of Mitchell, is already serving a life sentence in prison in connection with the same killing.

Newspapers in other sections will please copy.

Killings-1936.

Mississippi.

PETERSBURG, VA.
PROGRESS INDEX

FEB 28 1936

What About Those Deputies

VIRGINIA newspapers very generally have commented upon the recent decision of the Supreme Court in overruling a decision of the Supreme Court of Mississippi on the ground that it had condoned mob law in the trial of three Negroes charged with the murder of a white farmer. The opinion, delivered by Chief Justice Hughes, was a blistering indictment of the State Appellate Court which affirmed the convictions. The opinion, reciting the facts, showed that the Mississippi officers of the law had beaten the accused most brutally in efforts to obtain "confessions" and finally had succeeded. These "confessions" were used successfully by the prosecution in obtaining convictions for first-degree murder. The bodies of the three men showed marks of the cruel treatment to which they were subjected and one of the deputies who helped administer the beatings was quoted as saying that they were not beaten too much for Negroes, that if he had had his way he would have "made their punishment more severe."

Virginians, white and colored, cannot conceive of the bitterness of race feeling existing in the so-called Deep South so far as the most numerous class of whites is concerned.

The three Negroes in the case referred to will be given a new trial. In view of the fact that their "confessions" cannot be used to obtain their conviction, they may be acquitted. But what of the officers who beat up their prisoners in order to secure these "confessions?" Are they to go scot free? It is not likely that the Mississippi courts of their own motion will move to punish them. We hope we shall not be deemed guilty of smugness in saying that these cases from Mississippi "Could Not Happen Here," meaning in Virginia.

LABOR

Washington Post

FEB 25 1936

Supreme Court Raps Third Degree

A white farmer was killed in Mississippi. Three negroes were arrested. They protested their innocence, but were given the "third degree" in most brutal fashion and finally signed a confession.

They were found guilty in the lower court and sentenced to death. The Supreme Court of Mississippi sustained the verdict on a technicality, but one of the members of the court, Justice Virgil Griffith, dissented, saying:

"The transcript reads more like pages torn from some medieval account than a record made within the confines of a modern civilization which aspires to an enlightened constitutional government."

The case finally reached the Supreme Court of the United States, and last Monday all nine of the Judges decided that the negroes did not have a fair trial. "The rack and the torture chamber may not be substituted for the witness stand," Chief Justice Hughes declared.

In practically every police station in this country, on substantially every day of the year, prisoners are given the "third degree." It is a hideous practice. Confessions secured by such methods should never be accepted in court and the responsible officers should be sent to prison.

SPRINGFIELD, MAS.
EVENING UNION

FEB 20 1936

The Third Degree

"The rack and torture chamber may not be substituted for the witness stand" is the ultimatum of the Supreme Court, which is of the highest importance in cases where the "third degree" as enforced by police to wring confessions from persons accused of crime, is in question.

The case decided by the court came from Kemper County, Mississippi. Four Negroes had been convicted of the murder of a white planter, and had been sentenced to death by hanging after a brief trial. The four "confessed" and these "confessions," read to the jury, constituted the most important testimony against them.

It appeared that all the accused colored men were tortured to force them to confess. One had been hanged by the neck until he was almost strangled, and the others had been stripped naked and beaten almost to death by rubber hose.

In reading the opinion of the court Chief Justice Hughes said:

> It would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners.
>
> Aside from the confessions there was no evidence sufficient to warrant the submission of the case to the jury. That the evidence established that the confessions were procured by coercion was not questioned.
>
> The State may not permit an accused to be hurried to conviction under mob domination—where the whole proceeding is but a mask without supplying corrective process.

Police everywhere deny that they ever use third degree methods on prisoners, and probably not all of them do. Even among those that practise it the torture applied varies from long periods of questioning to the refusal of sleep, and the placing of bright lights so near the eyes as to cause exquisite pain. There is only one defense for the third degree ever made—"It gets results from a lot of tough birds that would never confess otherwise, and whom the State might not be able to convict without it." That is, perhaps unfortunately, true many times.

On the other hand a new technique is being introduced by some police. This is the "kidding" method, where the prisoner is treated with exaggerated kindness, given the best of things to eat, and talked to by sentimental policemen who quote the Bible, read him poetry, and talk about home and mother. Sometimes they even allow him to hear sentimental songs and old hymns played softly in the next room. Strange as it seems, this has been known also to produce confessions from the type of criminal whose toughness is blended with an exaggerated sentimentality—a type not so rare as the average person might believe.

Whatever the growth of this "kidding" method may be, experience seems to say that the old time "third degree" will not die out merely because it has been frowned upon by the Supreme Court. It's an easy, and, it must be said, sometimes an effective way for police to get evidence that will convict.

Danville, Va., Register
February 22, 1936

Current Opinion

CIVILIZATION IN MISSISSIPPI
(Norfolk Virginian-Pilot)

The important feature in the case of the three Mississippi Negroes whom the Supreme Court of the United States has saved from early death on a gallows that had been erected to hang all three at the same time, is not that this highest court in the land stepped in to prevent a monstrous act of injustice. Given the circumstances in which confessions were obtained—and for a grisly story we commend that tale of torture—the court could not have been expected to do otherwise.

The important feature is that precisely the same facts were before the trial judge, and he did not lift his little finger. The important feature is that precisely the same facts were before the Supreme Court of Mississippi, and (save for two dissenting judges) it fell back on the technicality that the defense had failed to object at the right time to the inclusion of the confessions in the evidence. The important feature is that both the trial judge and the State's appellate judges saw nothing unusual, nothing reprehensible, nothing horrible and revolting, in the beating and hanging of suspects to obtain confessions, and thereby approved in effect of such conduct by officials sworn to uphold the law.

That is the tragedy of this case. For details one has only to read that sickening story in the report of the Supreme Court's action. It deserves to be read, and to be pondered. It deserves to be studied in the light of the unanimous opinion of the Supreme Court that "aside from these confessions there was no evidence sufficient to warrant the submission to a jury." When it is so studied, it throws brilliant light on the kind of justice ignorant Negroes may expect in the darker regions of the South.

Before the very judge who condemned these men to death on the basis of their confessions, a deputy sheriff

was asked how severely he had beaten one of them to obtain the confession. "Not too much for a Negro," he said; "not as much as I would have done if it were left to me." The tragedy of the South is written in those words—the tragedy of Scottsboro, of mobs and lynchings, of rope and faggot. It is a fine thing the Supreme Court has done. But far more will have to be done before the kind of Southern civilization that is represented in these official torturers and condoners climbs up from the mire.

MINNEAPOLIS, MINN.
MORNING TRIBUNE

FEB 22 1936

The Supreme Court as a Refuge.

Obscured by the excitement attending the TVA decision was the supreme court's ruling, on the same day, in the case of three Negroes sentenced to death in Mississippi for murder. The court had been asked to set aside the conviction on the ground that the condemned men had been brutally flogged by deputy sheriffs to force confessions from them.

After reviewing the evidence, the court decided in favor of the Negroes. The opinion, which was read by Chief Justice Hughes, contained a stinging denunciation of the authorities. The court not only pointed out that there had been no evidence against the accused but it went on to say: "It would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners." The rack and torture chamber, it insisted, "may not be substituted for the witness stand."

Thus we are reminded that the supreme court is something more than an arbiter passing judgment on new deal legislation. It is, beyond that, a haven of last resort for the weak and oppressed whose constitutional rights have been violated and who could turn nowhere else for their protection. The rights which the American people hold most precious are guaranteed in the federal constitution, but it is the supreme court which guards those rights against invasions. Without the court we should have, in effect, no constitution; the individual would seek in vain for protection from the whims and vagaries of those who make and administer the law. In setting aside the conviction of the three Mississippians, the court has raised the arm of its authority between the individual and the lawless, savage third degree. To those who think of the court as a destroyer of laws, its action should prove enlightening. For here it stands forth sharply as a refuge from the very forces which would annihilate those liberties and rights bestowed, on every American, by the federal constitution.

Memphis, Tenn., Com'rcial Appeal
February 19, 1936

Baiting The Supreme Court

It is doubtful whether a more direct invitation for a first class wallop could have been extended the Supreme Court of the United States than was extended in the cases of three Mississippi negroes who were convicted two years ago of the murder of a Kemper County planter. The result of the invitation was just such a wallop, with the consequent threat throughout the country of the time-worn, unfair and dishonest criticism of southern justice which agitators and busybodies never let up on.

There was no dispute about the facts. On the night following the crime, a deputy sheriff accompanied by others went to the home of one of the negroes and asked him to go with them to the home of the planter, where a crowd began accusing the negro of the crime. Upon his denial they seized him and with the participation of the deputy hanged him to the limb of a tree, and, having cut him down, hung him up again. Still protesting his innocence he was whipped and finally released. Two days later the deputy showed up again, arrested the negro and again whipped him severely, declaring that he would continue the whipping until the negro agreed to make such a statement as the deputy would dictate. The negro did so.

About the same time two other negroes were arrested, taken to jail, and on a Sunday night the deputy, accompanied by a number of men and by the jailer, went to the jail, made the two negroes strip, laid them over some chairs and their backs were cut to pieces with a leather strap with buckles on it. These negroes were also made definitely to understand that until they confessed in every matter of detail as demanded the whipping would be continued. Their confessions were changed, as the whippings progressed, in all particulars of detail to conform to the demands of their torturers.

The state rested its case largely upon these confessions. The deputy on the stand admitted the whippings. The jury brought in a verdict of guilty, and the three negroes were sentenced to hang.

When the cases got to the supreme court of Mississippi, the negroes alleged as error that the confessions had been coerced from them; that they had repudiated them, and that they were not legally given. The high court found itself bound by the rule that errors not alleged in the court below could not be assigned on appeal. This is a rule of all appellate courts. It is necessarily sound, otherwise a defendant could gamble on any fancy that came to mind.

But two of the four justices, Griffith of Gulfport and Anderson of Tupelo, protested. In a minority opinion they denounced the third degree methods and declared that the conviction was a miscarriage of justice. In a moment of prophecy, Justice Griffith, who wrote the dissenting opinion, foretold the resort to federal jurisdiction. "If this judgment should be affirmed by the federal Supreme Court," he said, "it will be the first in the history of that court wherein there was allowed to stand a conviction based solely upon the testimony coerced by the barbarities of executive officers of the state known to the prosecuting officers as having been coerced when the testimony was introduced, and fully shown in all its nakedness to the trial judge before he closed the case and submitted it to the jury."

Gov. Earl Brewer promptly took the case to Washington. Chief Justice Hughes, in reversing the Mississippi judgment Monday, recalled that the state was free to regulate its own procedure in accordance with its own conceptions of policy. The rule relied upon by the majority was not unreasonable in its general applications, "but," said the chief justice, "when such procedure offends some principle of justice so rooted in the traditions and conscience of our people as to be ranked as fundamental," then rules and procedure must conform to the finer theories of justice.

The whole trouble, of course, goes back to the beginning. Prosecuting officers too often in their zeal bring on impossible situations. It is too much like baiting the higher courts. The Scottsboro cases in Alabama have just about reached such a point. Of course it is popular nowadays for lawyers, without any other defense, to charge brutality and coercion when legal, free and voluntary confessions of criminals are introduced. But judges and juries are generally able to determine the merits of such a plea.

The Mississippi case will not redound to the credit of Mississippi justice. As Justice Griffith pointed out, "it may be that in a rarely occasional case which arouses the flaming indignation of a whole community, as was the case here, we shall continue yet for a long time to have outbreaks of the mob or resorts to its methods. But if mobs and mob methods must be, it would be better that their existence and their methods be kept wholly separate from the courts, and that there shall be no blending of the devices of the mob and of the proceedings of the courts, by the frills and furbelows of a pretended legal trial."

INSULT LEADS TO DEATH

Jury Reports Slaying of Wayne County Negro as Justified

WAYNESBORO, Miss., June 25.—Elozelle Davis, negro farmer, was killed near here yesterday afternoon when he is alleged to have made an insulting remark to a 17-year-old girl. A coroner's jury reported a verdict of justified homicide.

Negroes Confess Torch Slaying In Mississippi

JACKSON, MISS., Aug. 10.—(AP)—Two negroes, one a woman who State Fire Marshal J. D. McDonald said confessed to slaying E. W. Cook, Sr., wealthy Anguilla, Miss., planter last May, were being held in the Warren County jail at Vicksburg tonight.

McDonald gave the negroes names as Sheldon Woods and Mary Holmes, the latter a servant in the Cook home, and said he was in possession of statements signed by both of them.

The statements, McDonald said, gave robbery as the motive and declared that the Cook home was burned "in an effort to cover up."

FARM OVERSEERS ARE MOWED DOWN

One of Victims Is Former Duke Athlete; Mississippi Officers Seek Clues

AVALON, Miss., Aug. 13 (AP)—Officers of two Mississippi counties today pushed forward an investigation of an "organized group" which they said "might have planned" the slaying near here yesterday of two young farm overseers, one a former Duke University football player.

William M. Simpson, Jr., 25, the former athlete, and W. W. Ingram, 20, were shot to death as they halted their automobile in front of the home of a Negro, booked at the Grenada county jail as Andrew Hemphill, 50.

Arrested a short while later was a Negro booked as Tommy Jones, 45, both were taken by Sheriff Dave Dogan, of Grenada county to the Hinds county jail at Jackson and placed in the death cell.

Four other Negroes are being held in the jail in connection with the affair.

"The slaying was deliberately planned," Sheriff Earle Equen declared. "We believe it was connected with an organization formed among the Negroes near here recently. However, we have nothing definite to base that on."

Slugging Burglar Caught

BILOXI, Miss., Aug. 13 (AP)—A 22-year-old Negro, booked as Samuel Williams, of Brewton, Ala., was being held in the Jackson county jail tonight after his capture by a citizens' posse which engaged him in a three-hour gun battle.

The Negro was struck by several bullets, but his wound were not critical. He was charged with burglary and with beating a white woman over the head with a blackjack.

Mrs. Fannie Loughride told officers a Negro entered her home early yesterday and demanded money. She said she gave him what she had but it was not enough to satisfy him and he struck her over the head.

A half dozen other homes were entered in the same neighborhood. More than 500 citizens joined in the search for the intruder and overpowered Williams after an exchange of fire.

Officers said Williams admitted entering the Loughridge home and said he had an accomplice, whom he named only as "Lawson." Authorities were seeking the second Negro tonight.

was asked how severely he had beaten one of them to obtain the confession. "Not too much for a Negro," he said; "not as much as I would have done if it were left to me." The tragedy of the South is written in those words—the tragedy of Scottsboro, of mobs and lynchings, of rope and faggot. It is a fine thing the Supreme Court has done. But far more will have to be done before the kind of Southern civilization that is represented in these official torturers and condoners climbs up from the mire.

MINNEAPOLIS, MINN.
MORNING TRIBUNE

FEB 22 1936

The Supreme Court as a Refuge.

Obscured by the excitement attending the TVA decision was the supreme court's ruling, on the same day, in the case of three Negroes sentenced to death in Mississippi for murder. The court had been asked to set aside the conviction on the ground that the condemned men had been brutally flogged by deputy sheriffs to force confessions from them.

After reviewing the evidence, the court decided in favor of the Negroes. The opinion, which was read by Chief Justice Hughes, contained a stinging denunciation of the authorities. The court not only pointed out that there had been no evidence against the accused but it went on to say: "It would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners." The rack and torture chamber, it insisted, "may not be substituted for the witness stand."

Thus we are reminded that the supreme court is something more than an arbiter passing judgment on new deal legislation. It is, beyond that, a haven of last resort for the weak and oppressed whose constitutional rights have been violated and who could turn nowhere else for their protection. The rights which the American people hold most precious are guaranteed in the federal constitution, but it is the supreme court which guards those rights against invasions. Without the court we should have, in effect, no constitution; the individual would seek in vain for protection from the whims and vagaries of those who make and administer the law. In setting aside the conviction of the three Mississippians, the court has raised the arm of its authority between the individual and the lawless, savage third degree. To those who think of the court as a destroyer of laws, its action should prove enlightening. For here it stands forth sharply as a refuge from the very forces which would annihilate those liberties and rights bestowed, on every American, by the federal constitution.

Memphis, Tenn., Com'rcial Appeal
February 19, 1936

Baiting The Supreme Court

It is doubtful whether a more direct invitation for a first class wallop could have been extended the Supreme Court of the United States than was extended in the cases of three Mississippi negroes who were convicted two years ago of the murder of a Kemper County planter. The result of the invitation was just such a wallop, with the consequent threat throughout the country of the time-worn, unfair and dishonest criticism of southern justice which agitators and busybodies never let up on.

There was no dispute about the facts. On the night following the crime, a deputy sheriff accompanied by others went to the home of one of the negroes and asked him to go with them to the home of the planter, where a crowd began accusing the negro of the crime. Upon his denial they seized him and with the participation of the deputy hanged him to the limb of a tree, and, having cut him down, hung him up again. Still protesting his innocence he was whipped and finally released. Two days later the deputy showed up again, arrested the negro and again whipped him severely, declaring that he would continue the whipping until the negro agreed to make such a statement as the deputy would dictate. The negro did so.

About the same time two other negroes were arrested, taken to jail, and on a Sunday night the deputy, accompanied by a number of men and by the jailer, went to the jail, made the two negroes strip, laid them over some chairs and their backs were cut to pieces with a leather strap with buckles on it. These negroes were also made definitely to understand that until they confessed in every matter of detail as demanded the whipping would be continued. Their confessions were changed, as the whippings progressed, in all particulars of detail to conform to the demands of their torturers.

The state rested its case largely upon these confessions. The deputy on the stand admitted the whippings. The jury brought in a verdict of guilty, and the three negroes were sentenced to hang.

When the cases got to the supreme court of Mississippi, the negroes alleged as error that the confessions had been coerced from them; that they had repudiated them, and that they were not legally given. The high court found itself bound by the rule that errors not alleged in the court below could not be assigned on appeal. This is a rule of all appellate courts. It is necessarily sound, otherwise a defendant could gamble on any fancy that came to mind.

But two of the four justices, Griffith of Gulfport and Anderson of Tupelo, protested. In a minority opinion they denounced the third degree methods and declared that the conviction was a miscarriage of justice. In a moment of prophecy, Justice Griffith, who wrote the dissenting opinion, foretold the resort to federal jurisdiction. "If this judgment should be affirmed by the federal Supreme Court," he said, "it will be the first in the history of that court wherein there was allowed to stand a conviction based solely upon the testimony coerced by the barbarities of executive officers of the state known to the prosecuting officers as having been coerced when the testimony was introduced, and fully shown in all its nakedness to the trial judge before he closed the case and submitted it to the jury."

Gov. Earl Brewer promptly took the case to Washington. Chief Justice Hughes, in reversing the Mississippi judgment Monday, recalled that the state was free to regulate its own procedure in accordance with its own conceptions of policy. The rule relied upon by the majority was not unreasonable in its general applications, "but," said the chief justice, "when such procedure offends some principle of justice so rooted in the traditions and conscience of our people as to be ranked as fundamental," then rules and procedure must conform to the finer theories of justice.

The whole trouble, of course, goes back to the beginning. Prosecuting officers too often in their zeal bring on impossible situations. It is too much like baiting the higher courts. The Scottsboro cases in Alabama have just about reached such a point. Of course it is popular nowadays for lawyers, without any other defense, to charge brutality and coercion when legal, free and voluntary confessions of criminals are introduced. But judges and juries are generally able to determine the merits of such a plea.

The Mississippi case will not redound to the credit of Mississippi justice. As Justice Griffith pointed out, "it may be that in a rarely occasional case which arouses the flaming indignation of a whole community, as was the case here, we shall continue yet for a long time to have outbreaks of the mob or resorts to its methods. But if mobs and mob methods must be, it would be better that their existence and their methods be kept wholly separate from the courts, and that there shall be no blending of the devices of the mob and of the proceedings of the courts, by the frills and furbelows of a pretended legal trial."

INSULT LEADS TO DEATH

Jury Reports Slaying of Wayne County Negro as Justified

WAYNESBORO, Miss., June 25.—Elozelle Davis, negro farmer, was killed near here yesterday afternoon when he is alleged to have made an insulting remark to a 17-year-old girl. A coroner's jury reported a verdict of justified homicide.

Negroes Confess Torch Slaying In Mississippi

JACKSON, MISS., Aug. 10.—(AP)—Two negroes, one a woman who State Fire Marshal J. D. McDonald said confessed to slaying E. W. Cook, Jr., wealthy Anguilla, Miss., planter last May, were being held in the Warren County jail at Vicksburg tonight.

McDonald gave the negroes names as Sheldon Brooks and Mary Holmes, the latter a servant in the Cook home, and said he was in possession of statements signed by both of them.

The statements, McDonald said, gave robbery as the motive and declared that the Cook home was burned "in an effort to cover up."

FARM OVERSEERS ARE MOWED DOWN

One of Victims Is Former Duke Athlete; Mississippi Officers Seek Clues

AVALON, Miss., Aug. 13 (AP)—Officers of two Mississippi counties today pushed forward an investigation of an "organized group" which they said "might have planned" the slaying near here yesterday of two young farm overseers, one a former Duke University football player.

William M. Simpson, Jr., 25, the former athlete, and W. W. Ingram, 20, were shot to death as they halted their automobile in front of the home of a Negro, booked at the Grenada county jail as Andrew Hemphill, 50.

Arrested a short while later was a Negro booked as Tommy Jones, 45, both were taken by Sheriff Dave Dogan, of Grenada county to the Hinds county jail at Jackson and placed in the death cell.

Four other Negroes are being held in the jail in connection with the affair.

"The slaying was deliberately planned," Sheriff Earle Equen declared. "We believe it was connected with an organization formed among the Negroes near here recently. However, we have nothing definite to base that on."

Slugging Burglar Caught

BILOXI, Miss., Aug. 13 (AP)—A 22-year-old Negro, booked as Samuel Williams, of Brewton, Ala., was being held in the Jackson county jail tonight after his capture by a citizens' posse which engaged him in a three-hour gun battle.

The Negro was struck by several bullets, but his wound were not critical. He was charged with burglary and with beating a white woman over the head with a blackjack.

Mrs. Fannie Loughride told officers a Negro entered her home early yesterday and demanded money. She said she gave him what she had but it was not enough to satisfy him and he struck her over the head.

A half dozen other homes were entered in the same neighborhood. More than 500 citizens joined in the search for the intruder and overpowered Williams after an exchange of fire.

Officers said Williams admitted entering the Loughridge home and said he had an accomplice, whom he named only as "Lawson." Authorities were seeking the second Negro tonight.

Killings - 1936

Mississippi

MISSISSIPPI DOUBLE SLAYING IS PROBED

Young Overseers Believed Slain By 'Organized Group' Of Negroes

AVALON, MISS., Aug. 13.—(AP)—Officers of two Mississippi counties today pushed forward an investigation of an "organized group" which they said "might have planned" the slaying near here yesterday of two young farm overseers, one a former Duke University football player.

William M. Simpson, Jr., 25, the former athlete, and W. W. Ingram, 20, were shot to death as they halted their automobile in front of the home of a negro, booked at the Grenada County jail as Andrew Hemphill, 50.

Arrested a short while later was a negro booked as Tommy Jones, 45. Both were taken by Sheriff Dave Dogan, of Grenada County to the strong Hinds County jail at Jackson and placed in the death cell there. Instructions were given by officers that no one was to visit them.

The two offered no resistance when arrested.

Four other negroes are being held in the Grenada jail in connection with the affair.

Sheriff Earle Equen, of Leflore County, who arrested Jones and Hemphill, said that "several other arrests probably will be made."

"The slaying was deliberately planned," Sheriff Equen declared. "We believe it was connected with an organization formed among the negroes near here recently. However, we have nothing definite to base that on."

Sheriff Equen said "the organization was started by some Chicago outfit," and "as yet we know very little about it," but that "we'll know all about it before we are through."

Upon his return from Jackson, Sheriff Dogan questioned the negroes held at Grenada, but declined to reveal what he learned. Dist. Atty. Clarence Morgan, of Kosciusko, was expected this afternoon at Grenada for a conference with officers.

Officers said several negro families living in the Deadening territory left last night, but they would be located for questioning.

The Hemphill cabin, where the men were shot, is in the dead center of "Turpin's Deadining," a recently cleared tract deep in the Yalobusha River bottoms. The little cottages of Simpson and Ingram are about a mile away.

Sheriff Equen said the two men went to the Hemphill's cabin, "probably on farm business," as they were overseers of the place.

"Ingram was shot while he was still in the car," the Sheriff said. "Simpson apparently was shot as he jumped from the automobile. He ran a few yards and then fell."

Dr. Edgar Giles, of Avalon, an intimate friend of the slain men, said Simpson and his wife married while both were students at Duke University.

"They came here about a year ago along with Ingram and his wife," Dr. Giles said. "They worked hard and were doing well."

Ingram's body was returned to his former home at Earle, Ark. Simpson's body was sent to Turrell, Ark.

Sheriff Dogan, after lengthy questioning of four negroes, said he would hold them as witnesses.

Regarding the shooting, he said:

"About all I know is that the men were killed; that Jones and Hemphill have admitted the shooting and that they are now in jail in Jackson, Miss., where they will be kept until the case is presented to the Grand Jury on Jan. 25.

"As yet we have been unable to find any motive for the crime. Before this affair I never heard of any organization of negroes, and know nothing of one now, but I intend to investigate the report to the very bottom.

"I haven't even been to the scene as yet, and my investigation probably will not be completed in less than a week."

He said formal charges of murder would be placed against Jones and Hemphill tomorrow.

Two Farmers Are Slain In Tenant Farm Violence

GREENWOOD, MISS., Aug. 12.—(AP)—Two white farmers, W. R. Ingram and William M. Simpson, died today from gunshot wounds in a flare of tenant farm violence and Sheriff Earl Equen of Leflore County accused two negro tenants on their place of the slayings.

Officers anticipated no more violence pending a complete investigation of the slayings, although a large posse formed and started a wide search for one of the negroes involved.

Andrew Hemphill, one of the negroes implicated, was arrested in a cabin beside the body of Simpson. Simpson expired there a few minutes after his wife arrived on the scene.

Negro Farm Group Blamed In Deaths

GREENWOOD, MISS., Aug. 15.—(AP)—A local unit of the National Federation of Colored Farmers in the Avalon community of Leflore County was investigated by Sheriff Earle Equen in his attempt to solve the mysteries surrounding the slaying of two white farm overseers last Wednesday.

The men slain were William Simpson and W. D. Ingram, young farmers from Arkansas who came to Mississippi about a year ago as overseers on the Ben Goodman plantation.

After the double slaying county officers arrested two negro tenant farmers on the place, Andrew Hemphill and Tommy Jones and carried them for safe keeping to the Hinds County jail at Jackson.

Sheriff Equen said the two negroes admitted the slayings and said they belonged to the negro farmers organization, but, he said, they would give no reason for the killings.

The two farmers were ambushed in their automobile on a field road and shot to death with shotgun and pistol fire and the body of one of the victims was left in a negro cabin.

In his roundup of suspects Sheriff Equen arrested several negro tenants for questioning. In addition he detained John Bennett, local organization president, for questioning.

The sheriff said a number of negroes on the Goodman plantation belonged to the organization and that trouble had been threatened for some time between negro tenants and the overseers, termed by the tenants "plantation bosses."

Some of the negro farmers had refused to submit to supervision by the overseers and threats had been reported.

The sheriff said he was convinced that the slaying of Simpson and Ingram was "premeditated."

NEGRO FARMER GROUP PROBED IN SLAYINGS

-eflore Sheriff Quizzes Tenants at Avalon

GREENWOOD, Miss., Aug. 15.—(AP)—A local unit of the National Federation of Colored Farmers in the Avalon community of Leflore County was investigated by Sheriff Earle Equen in his atttempt to solve the mysteries surrounding the slaying of two white farm overseers last Wednesday.

The men slain were William Simpson and W. D. Ingram, young farmers from Arkansas who came to Mississippi about a year ago as overseers on the Ben Goodman plantation.

After the double slaying county officers arrested two negro tenant farmers on the place, Andrew Hemphill and Tommy Jones, and carried them for safe keeping to the Hinds County jail at Jackson.

Sheriff Equen said the two negroes admitted the slayings and said they belonged to the negro farmers' organization, but, he said, they would give no reason for the killings.

The two farmers were ambushed in their automobile on a field road and shot to death with shotgun and pistol fire and the body of one of the victims was left in a negro cabin.

In his round-up of suspects Sheriff Equen arrested several negro tenants for questioning.

Tenant Farmers Turn On Planters; Kill 2

GREENWOOD, Miss., Aug. (ANP)—Tired of the sorry lot of the sharecropper whereby the tenant farmers are expected to do any kind of work and take all manner of abuse, two Negro sharecroppers shot and killed W. R. Ingram and William M. Simpson, white farmers, Wednesday.

Andrew Hemphill was arrested in a cabin beside the body of Simpson and a search was made for Tommy Jones, said to be the other slayer.

According to officers, Ingram and Simpson argued with colored tenants and ordered one to leave the farm because he would not do a piece of work. This argument was later renewed on a plantation field road and reports stated the shots were exchanged between the two white men and the two Negroes.

Ingram and Simpson have been farming near here for about a year both coming from the section of Arkansas notorious for terrorist activities in connection with the recent sharecroppers' strike.

Negroes Drew Lots For Murders, Report Says

GREENWOOD, MISS., Aug. 16.—(AP)—Unconfirmed reports were circulated today that negro tenants drew lots to determine who would kill two overseers on the Ben Goodman plantation near here.

Sheriff Earle Equen charged Tommy Jones and Andrew Hemphill, negroes, with murdering the overseers, William Simpson and W. D. Ingram, last Wednesday.

The sheriff said he was investigating the activities of the National Federation of Colored Farmers in the area. He asserted that many of the negroes on the Goodman plantation were members of the Federation.

The negroes admitted the killings, Sheriff Equen said, but gave no reasons.

The sheriff declined to say why he believed a "murder plot" existed.

John Bennett, president of the Federation here, was detained for questioning.

POSTPONE NEGROES' CASE

Three Seek Habeas Corpus in Slaying of Planter

JACKSON, Miss., Sept. 10.—Habeas corpus proceedings for three Kemper County negroes, charged with the murder of a planter, were postponed until next Thursday by County Judge A. H. Longino today.

Release of the negroes is sought following reversal of their death sentence by the United States Supreme Court. The appeal was based on use of alleged tortuous methods in obtaining confessions from the negroes.

Earl Brewer, former governor, and William H. Hewitt are representing the negroes.

NEGRO TENANT SHOOTS PLANTATION MANAGER

Surrenders to Officers in George Dodd Slaying

INDIANOLA, Sept. 13.—George Dodd, manager of the James Baird plantation at Baird, was shot and killed last night by Robert Jones, a negro tenant on the place, in an exchange of shots.

The negro was reported to have had a gun and to have been creating a disturbance in front of the plantation store, when Mr. Dodd went out to investigate. The shooting followed, with the negro being wounded in the leg, after Mr. Dodd had demanded that Jones surrender his pistol.

Jones surrendered to officers and was placed in jail here. Mr. Dodd leaves his widow. Funeral services were held at Itta Bena this afternoon.

TENNANT REVOLT CLAIMS LIVES OF SHARECROPPERS

GREENWOOD, Miss., Aug 19—(ANP)—Tired of the sorry lot of the sharecropper whereby the tenant farmers are expected to do any kind of work and take all manner of abuse, two Negro sharecroppers shot and killed W. R. Ingram and William M. Simpson, white farmers, Wednesday.

No more violence was expected, although a large "possee' formed and under the direction of officers sought out the slayers. One, Andrew Hemphill, was arrested in a cabin beside the body of Simpson, and a search was made for Tommy Jones, said to be the other slayer.

According to officers, Ingram and Simpson argued with colored tenants and ordered one to leave the farm because he would not do a piece of work. This argument was later renewed on a plantation

field read and reports stated the shots were exchanged between the two white men and two Negroes. Ingram died almost instantly from gunshot wounds while seated in his automobile. Simpson was shot down standing beside the car but was carried wounded inside the cabin where he died.

After his arrest, Hemphill admitted a part in the slayings, according to Sheriff Earl Equon, but blamed the shooting of one of the men on another tenant farmer. Ingram and Simpson have been farming near here for about a year, both coming from the section of Arkansas notorious for terrorist activities in connection with the recent sharecroppers' strike.

NEGROES GAIN CHANCE AT LIBERTY IN KILLING

Prosecution Ordered To Offer Case By Tomorrow

From Jackson, Miss., Bureau of The Commercial Appeal

JACKSON, Miss., Sept. 17.—At a habeas corpus hearing here today, in which the freedom of three Kemper County negroes was sought, District Attorney John C. Stennis of Kemper County was given until Saturday to show cause why they should not be released, according to a ruling of Judge A. H. Longino.

The three negroes, Ed Brown, Henry Shields and Yank Ellington, were convicted and sentenced to hang May 11, 1934, by a Kemper County Circuit Court jury for the murder of Raymond Stewart, a planter.

The verdict was reversed by the United States Supreme Court recently, and the negroes returned here pending further action.

Danville, Va., Register
December 17, 1936

Negroes, Saved By Court, Get Prison

COLUMBUS, MISS., Nov. 28.—(AP)—The case of three Kemper County negroes convicted of murder in the Mississippi courts and awarded a new trial by the U. S. Supreme Court was compromised today with the acceptance of pleas of guilty to manslaughter.

Conviction of the negroes was reversed by the U. S. Supreme Court on the ground that unlawful methods including third degree were used by officers to obtain confessions.

The negroes were Yank Ellington, Ed Brown and Henry Shields, accused of the murder of Raymond Stewart, a white planter.

Under their pleas Brown was sentenced to serve a 10-year term, Shields five years and Ellington three years. Each is to get credit for 2 1-2 years already served.

Their second trial was transferred from Kemper County to Lowndes County under a change of venue.

Current Opinion

MURDER IS MURDER

(The News and Observer)

Mississippi, it is reported, is disturbed because for the first time in its history it faces the hanging of a white man for the murder of a Negro. Whatever the differences may be between white men and black men in Mississippi or anywhere else, it is difficult to see how sensible, law-abiding men of any color can find a race question in such a case as this, in which a criminal white man first robbed Negroes and then murdered them, burning them alive.

The important thing about murder is murder, not the color of the killer nor the color of his victim. A dangerous killer draws no nice distinctions between the races. And no distinction is possible in good sense between the brutal murderer of a Negro. In a matter like this the place to draw a line is not between races but between the law-abiding and the criminal. In no other way can the great majority of peaceful good people of both races be made secure.

Killings-1936

Mississippi.

Miami, Fla., News
February 21, 1936

"Third Degree"

The action of the United States supreme court in setting aside the death sentences imposed on three Mississippi negroes for murder should interest not only that state, but others as well. Third-degree methods of obtaining confessions have been common throughout the country.

In this instance, Justice Hughes reveals, they were particularly brutal. In delivering the court's unanimous opinion he declares "it would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners." The prisoners swore that they confessed only after being hanged, beaten a number of times with a leather strap with buckles on it and otherwise cruelly abused by a mob led by a deputy sheriff.

The court observes that except for the confessions thus extorted there was not sufficient evidence to give the case to the jury. The confessions were dictated in every particular, moreover, by the torturers. Neither was there any denial on the part of authorities subsequently that the confessions had been so obtained.

The Mississippi supreme court had upheld the convictions on a technicality, but the lone dissenting judge said that "the transcript reads more like pages torn from some medieval account than a record made within the confines of a modern civilization which aspires to an enlightened constitutional government." Trial by ordeal is in contradiction to the law, Justice Hughes points out, and "the rack and torture chamber may not be substituted for the witness stand."

A report several years ago to the Wickersham commission revealed the discovery of 67 forced confessions in appellate court records alone during the 19 years ending in 1930. Significant as it is, that figure takes no account of possible others which were not recorded, or of still others in cases which never reached appellate court. Third-degree lawlessness by the very officials sworn to enforce the law is for obvious reasons difficult to detect. When there is suspicion of such treatment it is invariably and with equal ease allayed.

A number of detectives and patrolmen in a Long Island community were acquitted some time ago of beating a prisoner to death. In New York city, as a matter of fact, the police commissioner himself has ordered his men to "muss up" thoroughly every underworld character who falls into their clutches; the police have been doing a very good job of it, too. Certain New Jersey officials, meanwhile, have announced their intention of outdoing the metropolis in this respect.

To these authorities and their like elsewhere the decision of the supreme court in the Mississippi case is a timely reminder that trying and punishing, if they are found guilty, of those charged with violation of the law is still a function of the courts and not of the police.

Chattanooga, Tenn.
TIMES

FEB 19 1936

THE MISSISSIPPI CASE.

The record recited by the Supreme Court of the United States in reversing, last Monday, death sentences imposed in Mississippi upon three Negroes accused of slaying a white planter, presents a shocking picture of the vicinity in which the trial and conviction occurred. Civilized southerners, with pride in their section of the United States, have stoutly resisted depictions of the south which were written in terms of ignorance and cruelty. Lately the works of Mr. Erskine Caldwell—the play "Tobacco Road" and the novel "God's Little Acre"—have provoked indignant protests that they misrepresented the South.

Whether the outcry against Mr. Caldwell is justified or not, the family of Jeeter Lester in "Tobacco Road" and the family of Ty Ty Walden in "God's Little Acre" could not, combined, afford a picture of more primitive barbarity than that of real life which was written into the record two days ago by the Supreme Court. It is, apparently, not to the makers of literature, but to the administrators of justice, that southerners must mainly look for a house-cleaning that will show them to the other sections of the Nation as civilized and enlightened. The characters who move through the story of the Mississippi case are no more typical of the south than are the fictional Lesters and Waldens, but it is regrettable that they occur in the south at all.

The opinion read by Chief Justice Hughes is a tacit indictment of a state's practice in the administration of law as exemplified by the case under consideration. In implication it stops little short of a rebuke to the Mississippi Supreme Court. The Chief Justice writes that the transcript of the case reads in pertinent respects "more like pages torn from some medieval account than from a record made within the confines of a modern civilization which aspires to an enlightened constitutional government."

"It would," the Chief Justice added, "be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners * * *." The Southern mob has been a rank sore that is yielding bit by bit to the cure of light. The mob spirit and the mob methods in the Mississippi case which the Supreme Court of the United States denounces, in language almost impassioned, are the more sinister because they exist under the cloak of justice.

JACKSON, MISS.
NEWS

FEB 19 1936

ONE USSC DECISION

Some fairly good ideas do emanate from the minds of those "Nine Old Meanies" who constitute our Supreme Court now sitting at Washington.

For instance:

They held last Monday, in a case carried from Kemper county, Miss., that confessions of crime should not be whipped from human beings, even if they are black as the ace of spades.

Raymond Stewart, Kemper county farmer, was assassinated on March 30, 1934.

Five negroes were arrested and charged with the crime.

Possibly they were guilty.

Not a bit of first-hand or eye-witnessing evidence against them—not even good circumstantial testimony.

They were whipped until they confessed.

Third degree stuff and almost as bad as the murder.

The United States Supreme Court decides that must not be done.

The United States Supreme Court does decide right sometimes.

MINNEAPOLIS, MINN.
TRIBUNE

FEB 22 1936

The Supreme Court as a Refuge.

Obscured by the excitement attending the TVA decision was the supreme court's ruling, on the same day, in the case of three Negroes sentenced to death in Mississippi for murder. The court had been asked to set aside the conviction on the ground that the condemned men had been brutally flogged by deputy sheriffs to force confessions from them.

After reviewing the evidence, the court decided in favor of the Negroes. The opinion, which was read by Chief Justice Hughes, contained a stinging denunciation of the authorities. The court not only pointed out that there had been no evidence against the accused but it went on to say: "It would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of

these petitioners." The rack and torture chamber, it insisted, "may not be substituted for the witness stand."

Thus we are reminded that the supreme court is something more than an arbiter passing judgment on new deal legislation. It is, beyond that a haven of last resort for the weak and oppressed whose constitutional rights have been violated and who could turn nowhere else for their protection. The rights which the American people hold most precious are guaranteed in the federal constitution, but it is the supreme court which guards those rights against invasions. Without the court we should have, in effect, no constitution; the individual would seek in vain for protection from the whims and vagaries of those who make and administer the law. In setting aside the conviction of the three Mississippians, the court has raised the arm of its authority between the individual and the lawless, savage third degree. To those who think of the court as a destroyer of laws, its action should prove enlightening. For here it stands forth sharply as a refuge from the very forces which would annihilate those liberties and rights bestowed, on every American, by the federal constitution.

NEW YORK, N. Y.
AMERICA

FEB 22 1936

The Supreme Court

OUTSIDE the Papacy, the one stable landmark in this changing world is the Supreme Court of the United States. Quietly, calmly, undeterred by the clamor of the mob, untouched by the blandishment or threats of politicians, it fulfills its duty of declaring, as John Marshall wrote, "that a law repugnant to the Constitution is void," and that a law in keeping with the Constitution is valid.

Rarely has this great Court fulfilled its duty with greater solemnity and calm than in the two decisions handed down on February 17. One of these cases involved the rights of the Federal Government under the Constitution; the other the rights as human beings of three poor and illiterate Negroes in Mississippi. In the first case, the Court declined to be hurried. The details were complicated, the issues far reaching. The opinion of the Chief Justice, with which seven of his eight brethren concurred, held that in adopting the Tennessee Valley Act, Congress had not exceeded its powers.

To critics who loudly, and often with scant regard for truth, have proclaimed that the Supreme Court is determined to limit the powers of Congress, one pregnant fact may be pointed out. In the decision on this and on the Agricultural Act, the Court has lifted many Congressional rights from the zone of doubt into the clear light of constitutionality. With the wisdom of what Congress may do, the Court is not concerned. Its sole concern and sworn duty is to declare that any act of any official contrary to the will of the people as expressed in the Constitution, which is the fundamental law of the land, must be held null and void.

The second case is of greater importance, inasmuch as man's right to life is more sacred than the right of the Government to dispose of its property. Three Negroes, accused of murder, on being put to the torture by the officials, admitted guilt. The Mississippi court, accepting this alleged confession, condemned them to death, and the sentence was sustained by the State's highest court. The Supreme Court of the United States alone then stood between these mistreated men and death. On petition this Court set the verdict aside on the ground that fundamental human rights had been violated by the substitution of "the rack and the torture chamber" for evidence. "The verdict must be set aside, and it is so ordered."

To defend the Constitution of the United States and all rights which it proclaims, is the function of this great Court. Its members owe nothing to the people, except fidelity to that function, and they neither ask for votes nor can accept any reward at their hands. In protecting these friendless Negroes from Mississippi, and in standing between the Negroes at Scottsboro and mob law, the Court was true to its duty. When through the Oregon law, an attempt was made to destroy the rights of parents over the education of the child, and to replace them by a State monopoly, the Supreme Court, ever true to its oath, rebuked tyranny and saved our Catholic schools. Against the mouthings of politicians, seeking to circumvent the supreme will of the people, expressed in the Constitution of the United States, let these facts stand.

CHICAGO, ILL.
TRIBUNE

APR 14 1936

THE CORPORATION AND THE LAW.

Dean Edward T. Lee of the John Marshall Law school, commenting in the Voice of the People on the Supreme court decision protecting the citizenship rights of Mississippi Negroes condemned to death on confessions tortured from them, referred to the great preponderance of cases in which corporate rights sought federal protection under the fourteenth amendment.

The amendment in its first and simplest intent was to protect the newly freed slaves of the south from being reduced again to something like bondage. One member of the committee which drafted it was John A. Bingham of Ohio. He wanted to do something to correct what he thought was a defect in the constitution. A generation before the war Chief Justice Marshall had found the court could not protect a citizen who had been injured by a state because the prohibition affected only the federal government.

A man named Barron had valuable wharf property. The city of Baltimore in the course of some public improvements had virtually ruined his docks. He sued the mayor and council. The Supreme court found itself powerless. Bingham seized the fourteenth amendment as an opportunity to provide, as he later said, "that the poor man in his hovel may be as secure in his person and property as the prince in his palace or the king on his throne."

It seems just that the protections given the individual against discriminatory and unjust state action should also apply to the collections of individuals who form a corporation. To a large extent it is true that the corporation permits a number of little fellows to do what only big fellows could do as individuals. Through the corporation many people whose only private enterprise would be small can invest in the operations of a great enterprise, and although they do not in fact have anything to do with the management they can hope to share in its success and profits.

If the corporation were not protected under the due process clause and given the equal advantage of the laws states would be free to destroy what they create. They incorporate the aggregate of individuals and give the body life. When the government had the power, as it had in the British colonizing of America, to destroy what it created by extinguishing a charter the men who made the first adventure as a company frequently were deprived of what they had gained just when success was coming in the door. There were reasons of state for this. When a colony founded by a joint stock company seemed about to become a state in itself the British government wanted control of it.

Stockholders in every corporate aggregate have certain of the rights of natural persons, and should have. Certain penalties and punishments can be imposed on a corporation as a person and it has certain rights which the states cannot invade under the fourteenth amendment. This corporate body of many persons joined together to engage in industrial production is properly given the same protection a millionaire would have if he singly and individually found a government was trying to deprive him of his property without due process of law.

Killings - 1936

Mississippi.

JACKSON, MISS.
CLARION LEDGER

MAR 4 - 1936

Dice Shooters Not Alone In Holding Human Life Cheap

One Kemper county negro is killed and another fatally wounded in a fight over a five-cent bet in a dice game.

A nickel bet is a trivial thing to cost two lives. Some "superior" white folks may feel amused and tolerant pity for the victims. But white people have killed themselves and others over equally trivial matters. No race has a monopoly on such foolishness.

What's the logical difference between getting into a fatal fight over a nickel and risking a fatal accident for a moment's thrill in racing a train over the crossing?

And what's the logical difference between these two ignorant negroes fighting to the death over a nickel and the "civilized" nation of Italy waging the mass murder of war to gain a few thousand barren square miles?

Crap-shooting negroes are not the only ones who hold human life tragically cheap.

CHICAGO, ILL.
TRIBUNE

MAR 15 1936

A TALE OF HORROR.

A true story of brutality, which makes the cruelty in "Mutiny on the Bounty" seem almost like kindness, is published in the Graphic section of THE TRIBUNE this morning. It will distress any one who ventures to read it. That is why we are printing it. We want it to be remembered.

The author of this terrible story is Mr. Chief Justice Hughes of the United States Supreme court. His eight associates and two justices of the Supreme court of Mississippi are co-authors. The story starts with the murder of a white man in Mississippi two years ago. Three Negroes were suspected of the crime. They denied their guilt. In the presence of a deputy sherif one of the three was twice strung up by the neck and twice let down, half dead from strangulation and fear.

The purpose was to extort a confession from him. He would not confess. He was then whipped unmercifully. Still he did not confess. Several days later—but there is no point in retelling the whole story here. Suffice it to say that eventually a confession was obtained from him and, by similar brutalities, confessions were wrung from the other two.

With no more evidence than these confessions against them, and with the manner in which the confessions were obtained fully set forth in the trial record and freely admitted by one of the officers involved, the three were convicted and sentenced to death. The Supreme court of Mississippi [two justices dissenting] upheld the conviction. On behalf of the Negroes their lawyer had argued that they had been deprived of life and liberty without due process of law, in violation of the fourteenth amendment to the federal constitution; but the majority of the Supreme court of Mississippi could find no ground for reversing the verdict.

On Feb. 17 of this year the lives of these three impoverished Negroes were saved by the United States Supreme court. The news could attract little attention at the time because it was overshadowed by the TVA decision on the same day. The opinion in the Mississippi case is published in full now because Senator Norris and all who, like him, wish to fetter the Supreme court, must be made to understand what their great reform would accomplish.

Either the court can or it cannot defend the constitution. If it cannot defend the constitution against all who seek to evade its provisions, whether in congress or in the state courts, how are the rights of the poor, the humble, the obscure to be guarded against local prejudice and persecution?

Let Senator Norris answer, if he can.

NEGROES' CARE ARGUED

JACKSON, Miss., April 4.—(AP)—The state Supreme Court today heard arguments on a motion to discharge three Kemper County negroes, Ed Brown, Yank Ellington and Henry Shields, whom the U. S. Supreme Court saved from the gallows a month ago by reversing the judgment of the Mississippi courts sentencing them to death.

The negroes were convicted of murder in connection with the ax slaping of Raymond Stewart, a farmer recluse.

Arguments of defense and state's attorneys today for and against immediate discharge of the negroes were heard by the six Supreme Court justices without indication of when a decision might be expected.

The U. S. Supreme Court remanded the case for new trial on the ground that the negroes had not been given a fair trial in Kemper County circuit court and had been convicted upon "confessions," obtained by officers by third degree methods.

THREE NEGROES WIN NEW TRIAL IN KILLING

Commercial Appeal

Mississippi Justices Obey U. S. Supreme Court Mandate

4-14-36

HEARING GIVEN CRITICISM

Memphis

Federal Jurists Charge Rack and Hose Substituted for Witness Chair—Confessions Allegedly Under Duress

From Jackson, Miss., Bureau of The Commercial Appeal

BY KENNETH TOLER

JACKSON, Miss., April 13.—Carrying out the mandate of the United States Supreme Court, the Mississippi Supreme Court today returned to Kemper County for retrial murder charges against three negroes for the alleged murder in April 1934, of Raymond Stewart, white planter.

In reversing the state court's affirmance of the executions ordered by the Kemper County circuit court, the United States court was caustic of the manner in which confessions were allegedly secured from the negroes, declaring that it would not stand by and see "the rack and hose substituted for the witness chair."

The negroes, Ed Brown, Yank Ellington and Henry Shields, will ask for dismissal of the charges when the case is called in Kemper County, according to Attorneys Earl Brewer, former governor, and W. H. Hewitt. The plea will be based on the contention that without the allegedly coerced confessions there is no evidence or testimony connecting the negroes with the murder.

If the charges are not dismissed attorneys will ask for a change of venue and severance of the cases.

Two Justices Dissent

The Kemper County death sentences were affirmed by the State Supreme Court on appeal, with two of the six justices, W. D. Anderson and V. A. Griffith, dissenting.

In the minority opinion, Justice Anderson was extremely critical of the alleged manner in which the negroes were forced to confess the crime. The two dissenters held the convictions should be reversed because of the allegation that confessions were procured under duress.

According to the court records, two of the negroes were allegedly beaten in a Meridian jail and forced to confess the crime. The other, the record points out, was hung by the neck until he admitted participation. Justice Anderson, in his dissenting opinion, cited the results of the alleged beatings were visible at the trial.

Stewart was beaten to death and his body left in his home. The negroes were workers on the Stewart plantation.

In two larceny cases, one involving the theft of two mules and the other a cow, the court reversed five-year sentences in both.

E. O. Wade of Calhoun County was ordered discharged and charges against him dismissed. Wade pleaded innocent of the theft of two mules from Oscar Sturdivant, which were allegedly purchased from a negro by a truck driver and sold in Meridian without Wade's knowledge, although he was given the money by the driver and it was deposited in a bank at Vardaman. When advised of the theft, Wade offered to return the mules and money, which he did, but the charges were not dismissed. The mules were hauled to Meridian on Wade's truck.

Burden On State

"In this case, the burden was on the state to show that the accused in some manner known to the law was in conscious possession of the property alleged to have been stolen," Justice J. G. McGowen said in ordering the charges dropped.

"There may have been grave suspicion here, but a conviction of larceny may not rest thereon."

The other case, against E. H. Brittenun and Walker Thomas of Marshall County, involved the cow, which was sold in Memphis. Thomas was allegedly convicted on a confession by Brittenun, which the court pointed out showed from the record to have been given with promise of reward or assistance. Two others in the case, Robert Tinkle and Oscar Watson, pleaded guilty and testified for the state.

Justice W. D. Cook pointed out in addition to the manner in which the confession was given, the case should be remanded for another trial because of certain hearsay evidence.

The court sustained the ruling of Chancellor V. J. Stricker of Hinds County in holding "pin ma.ble machines" to be gambling devices and their operation illegal.

"We are unable to say that the Hinds County chancery court erred in holding that it is a gambling device within the meaning of our statues," the Supreme Court held in sustaining the injunction granted by Chancellor Stricker on petition of Chief of Police John Simmons.

"To the novice, including school children whom the evidence tended to show were among its patrons, it was a pure game of chance," the court held.

Claimed Games Of Skill

Silas Redd, holder of franchise rites on the machines, had sought to show that the machines were

versed and judgment here for appellee.
S. A. Corley et al vs. Staple Cotton Cooperative Co., chancery Coahoma; motion to reinstate, overruled.
J. R. Fancher et al vs. J. Wesley Miller, Receiver, chancery Choctaw; suggestion of error, overruled.

BY THE COURT SITTING EN BANC:
Ed Brown et al vs. State of Mississippi, circuit Kemper; reversed and remanded.
Standard Oil Co., Inc., et al vs. Mrs. J. J. Decell, circuit Copiah; suggestion of error, overruled.
National Surety Corporation vs. William F. Laughlin, administrator; motion to set aside continuance, sustained and case set for hearing Monday, April 27, 1936.

BY JUSTICE W. D. COOK:
E. H. Brittenun et al vs. State, circuit Marshall; reversed and remanded.
Silas Redd vs. John E. Davis, chancery Hinds; affirmed.
Marcello Wohner et al vs. Police, chancery Madison; suggestion of error, overruled.
Kroger Grocery and Baking Co. vs. Harpole, circuit Tallahatchie; suggestion of error, overruled.

BY CHIEF JUSTICE SYDNEY SMITH:
Jim Baldwin vs. State, circuit DeSoto; affirmed.
The Penn Mutual Life Insurance Co. vs. Adele Nunnery, circuit Washington; re-

Killings - 1936

Mississippi.

JACKSON, MISS.
CLARION LEDGER

MAR 4 - 1936

Dice Shooters Not Alone
In Holding Human Life Cheap

One Kemper county negro is killed and another fatally wounded in a fight over a five-cent bet in a dice game.

A nickel bet is a trivial thing to cost two lives. Some "superior" white folks may feel amused and tolerant pity for the victims. But white people have killed themselves and others over equally trivial matters. No race has a monopoly on such foolishness.

What's the logical difference between getting into a fatal fight over a nickel and risking a fatal accident for a moment's thrill in racing a train over the crossing?

And what's the logical difference between these two ignorant negroes fighting to the death over a nickel and the "civilized" nation of Italy waging the mass murder of war to gain a few thousand barren square miles?

Crap-shooting negroes are not the only ones who hold human life tragically cheap.

CHICAGO, ILL.
TRIBUNE

MAR 15 1936

A TALE OF HORROR.

A true story of brutality, which makes the cruelty in "Mutiny on the Bounty" seem almost like kindness, is published in the Graphic section of THE TRIBUNE this morning. It will distress any one who ventures to read it. That is why we are printing it. We want it to be remembered.

The author of this terrible story is Mr. Chief Justice Hughes of the United States Supreme court. His eight associates and two justices of the Supreme court of Mississippi are co-authors. The story starts with the murder of a white man in Mississippi two years ago. Three Negroes were suspected of the crime. They denied their guilt. In the presence of a deputy sherif one of the three was twice strung up by the neck and twice let down, half dead from strangulation and fear.

The purpose was to extort a confession from him. He would not confess. He was then whipped unmercifully. Still he did not confess. Several days later—but there is no point in retelling the whole story here. Suffice it to say that eventually a confession was obtained from him and, by similar brutalities, confessions were wrung from the other two.

With no more evidence than these confessions against them, and with the manner in which the confessions were obtained fully set forth in the trial record and freely admitted by one of the officers involved, the three were convicted and sentenced to death. The Supreme court of Mississippi [two justices dissenting] upheld the conviction. On behalf of the Negroes their lawyer had argued that they had been deprived of life and liberty without due process of law, in violation of the fourteenth amendment to the federal constitution; but the majority of the Supreme court of Mississippi could find no ground for reversing the verdict.

On Feb. 17 of this year the lives of these three impoverished Negroes were saved by the United States Supreme court. The news could attract little attention at the time because it was overshadowed by the TVA decision on the same day. The opinion in the Mississippi case is published in full now because Senator Norris and all who, like him, wish to fetter the Supreme court, must be made to understand what their great reform would accomplish.

Either the court can or it cannot defend the constitution. If it cannot defend the constitution against all who seek to evade its provisions, whether in congress or in the state courts, how are the rights of the poor, the humble, the obscure to be guarded against local prejudice and persecution?

Let Senator Norris answer, if he can.

NEGROES' CARE ARGUED

Kemper Justice

JACKSON, Miss., April 4.—(AP)—The state Supreme Court today heard arguments on a motion to discharge three Kemper County negroes, Ed Brown, Yank Ellington and Henry Shields, whom the U. S. Supreme Court saved from the gallows a month ago by reversing the judgment of the Mississippi courts sentencing them to death.

The negroes were convicted of murder in connection with the ax slaying of Raymond Stewart, a farmer recluse.

Arguments of defense and state's attorneys today for and against immediate discharge of the negroes were heard by the six Supreme Court justices without indication of when a decision might be expected.

The U. S. Supreme Court remanded the case for new trial on the ground that the negroes had not been given a fair trial in Kemper County circuit court and had been convicted upon "confessions," obtained by officers by third degree methods.

THREE NEGROES WIN NEW TRIAL IN KILLING

Commercial Appeal

Mississippi Justices Obey U. S. Supreme Court Mandate

4-14-36

HEARING GIVEN CRITICISM

Memphis

Federal Jurists Charge Rack and Hose Substituted for Witness Chair—Confessions Allegedly Under Duress

From Jackson, Miss., Bureau of The Commercial Appeal

BY KENNETH TOLER

JACKSON, Miss., April 13.—Carrying out the mandate of the United States Supreme Court, the Mississippi Supreme Court today returned to Kemper County for retrial murder charges against three negroes for the alleged murder in April 1934, of Raymond Stewart, white planter.

In reversing the state court's affirmance of the executions ordered by the Kemper County circuit court, the United States court was caustic of the manner in which confessions were allegedly secured from the negroes, declaring that it would not stand by and see "the rack and hose substituted for the witness chair."

The negroes, Ed Brown, Yank Ellington and Henry Shields, will ask for dismissal of the charges when the case is called in Kemper County, according to Attorneys Earl Brewer, former governor, and W. H. Hewitt. The plea will be based on the contention that without the alleged coerced confessions there is no evidence or testimony connecting the negroes with the murder.

If the charges are not dismissed attorneys will ask for a change of venue and severance of the cases.

Two Justices Dissent

The Kemper County death sentences were affirmed by the State Supreme Court on appeal, with two of the six justices, W. D. Anderson and V. A. Griffith, dissenting.

In the minority opinion, Justice Anderson was extremely critical of the alleged manner in which the negroes were forced to confess the crime. The two dissenters held the convictions should be reversed because of the allegation that the confessions were procured under duress.

According to the court records, two of the negroes were allegedly beaten in a Meridian jail and forced to confess the crime. The other, the record points out, was hung by the neck until he admitted participation. Justice Anderson, in his dissenting opinion, cited the results of the alleged beatings were visible at the trial.

Stewart was beaten to death and his body left in his home. The negroes were workers on the Stewart plantation.

In two larceny cases, one involving the theft of two mules and the other a cow, the court reversed five-year sentences in both.

E. O. Wade of Calhoun County was ordered discharged and charges against him dismissed. Wade pleaded innocent of the theft of two mules from Oscar Sturdivant, which were allegedly purchased from a negro by a truck driver and sold in Meridian without Wade's knowledge, although he was given the money by the driver and it was deposited in a bank at Vardaman. When advised of the theft, Wade offered to return the mules and money, which he did, but the charges were not dismissed. The mules were hauled to Meridian on Wade's truck.

Burden On State

"In this case, the burden was on the state to show that the accused in some manner known to the law was in conscious possession of the property alleged to have been stolen," Justice J. G. McGowen said in ordering the charges dropped.

"There may have been grave suspicion here, but a conviction of larceny may not rest thereon."

The other case, against E. H. Brittenun and Walker Thomas of Marshall County, involved the cow, which was sold in Memphis. Thomas was allegedly convicted on a confession by Brittenun, which the court pointed out showed from the record to have been given with promise of reward or assistance. Two others in the case, Robert Tinkle and Oscar Watson, pleaded guilty and testified for the state.

Justice W. D. Cook pointed out in addition to the manner in which the confession was given, the case should be remanded for another trial because of certain hearsay evidence.

The court sustained the ruling of Chancellor V. J. Stricker of Hinds County in holding "pin marble machines" to be gambling devices and their operation illegal.

"We are unable to say that the Hinds County chancery court erred in holding that it is a gambling device within the meaning of our statues," the Supreme Court held in sustaining the injunction granted by Chancellor Stricker on petition of Chief of Police John Simmons.

"To the novice, including school children whom the evidence tended to show were among its patrons, it was a pure game of chance," the court held.

Claimed Games Of Skill

Silas Redd, holder of franchise rites on the machines, had sought to show that the machines were

overruled.
National Surety Corporation vs. William
Laughlin, administrator; motion to se
aside continuance, sustained, and case set
for hearing Monday, April 27, 1936.
J. R. Fancher et al vs. J. Wesley Miller,
Receiver, chancery Choctaw; suggestion of
error, overruled.

BY THE COURT SITTING EN BANC:
JUSTICE W. D. COOK:
H. Brittenun et al vs. State, circuit
hall; reversed and remanded.
as Redd vs. John E. Simmons, Chief
olice, chancery Hinds; affirmed.
rcello Wohner et al vs. State, circuit
Ed Brown et al vs. State of Mississippi,
circuit Kemper; reversed and remanded.
S. A. Corley et al vs. Staple Cotton Co-
operative Co., chancery Coahoma; motion
to reinstate, overruled.
Standard Oil Co., Inc., et al vs. Mrs.
J. J. Decell, circuit Copiah; suggestion of
error, overruled.
Roger Grocery and Baking Co. vs. John
ole, circuit Tallahatchie; suggestion of
, overruled.

CHIEF JUSTICE SYDNEY SMITH:
n Baldwin vs. State, circuit DeSoto;
med.
e Penn Mutual Life Insurance Co. vs.
Nunnery, circuit Washington; re-

BY JUSTICE W. D. COOK:
S. L. Gwin vs. W. H. Smith, sheriff
chancery Leflore; reversed and remanded.
E. O. Wade vs. State, circuit Calhoun
reversed and appellant discharged.
W. U. Corley, trustee vs. Robert Earl
Tyrone, chancery Jefferson Davis; af-
firmed.
Sovereign Camp Woodmen of the World
vs. S. F. Duncan, circuit Clarke; af-
firmed.
Frank Joseph Shwierjohn vs. N. O. N
E. R. R., circuit Lamar; suggestion o
error, overruled.
Richton Phillips Co. vs. T. F. Phillips, affirmed.
chancery Lowndes; suggestion of error.

BY JUSTICE J. G. McGOWEN:
Brittenun et al vs. State of Mississippi,
Marshall; reversed and remanded.
Silas Redd vs. State, circuit Calhoun
Police, chancery Hinds; affirmed.
Marcello Wohner et al vs. State, circuit
Madison; suggestion of error, overruled.
Kroger Grocery and Baking Co. vs.
Harpole, circuit Tallahatchie; suggestion of
error, overruled.

NEGROES' DEATH CASE REMANDED

Trio Saved From Rope In Mississippi Await Next Court Move

JACKSON, Miss., April 13—(AP)—Final disposition of murder charges against three Kemper County Negroes—Yank Ellington, Ed Brown and Henry Shields—who were saved from the gallows recently by a reversal order of the United States Supreme Court, Monday was given to the Kemper Circuit Court.

Acting in accordance with the mandate of the U. S. Supreme Court, in which "confessions" made by the Negroes which resulted in their convictions and imposition of the death sentence were labeled as "coerced," the State Supreme Court Monday remanded the case to the lower court for final action.

The opinion of the U. S. Supreme Court cited that "confessions" made by the three Negroes in connection with the ax slaying of Raymond Stewart, a farmer recluse, were obtained by officers after the Negroes had been severely flogged.

As the case now stands, it is within the province of the Kemper County circuit to retry the case, or dismiss it for "lack of evidence." But the statements made by the three Negroes, who are now confined in the Hinds County Jail, cannot again be used against them.

Defense Attorneys Earl Brewer and W. H. Hewitt, of Jackson, have asserted that they would seek dismissal of the charges in the Kemper County Circuit Court at the next meeting of court, basing their plea on the ground that without the "confessions," the state cannot make out a case against the Negroes' that would warrant a conviction.

WHITE MAN MUST DIE FOR SLAYING NEGROES

By United Press.

JACKSON, Miss., Nov. 9.—The Supreme Court of Mississippi today affirmed the death sentence imposed on William Clark Mitchell, a white man, for killing two Negroes.

The court set Dec. 11 as the date of execution.

Mitchell, 53, and his brother-in-law, Arthur Cook, were convicted of torturing Lewis Bryant and "Coot" Bryant to death in an attempt to make them reveal the hiding place of their money. The robbers looted the Negroes' home, bound the two victims to chairs, beat them unconscious, soaked them in kerosene and set them afire.

Cook turned state's evidence at a two-hour trial and was senentced to life imprisonment. The crime was in 1932.

Sharecroppers Denied Discharge

Held In Grenada County

JACKSON, Miss.—The Mississippi Supreme Court this week overruled a motion by defense lawyers to discharge Ed Brown, Yank Ellington and Henry Shields, three Negro sharecroppers being held on a charge of murder.

The motion to discharge was made by Earl Brewer, Esq., on the ground that the only evidence against the three men was a so-called confession, which had been extorted from them by brutal torture. After their conviction last year their case was carried to the United States Supreme Court and argued there by Mr. Brewer in January, 1936. The high court was shocked at the disclosure of the torture used on the men and delivered a scathing opinion reversing the conviction and sending them back for a new trial. The language of the court was so indignant and so positive that it was hoped that the state of Mississippi would discharge the men and not go through further trial.

Although the state seems determined to retry the men, the N. A. A. C. P.'s defense lawyers are planning other moves to secure their release.

NEW TRIAL TO NEGRO IN YOUTH'S SLAYING

Mississippi Supreme Court Rules Murder Not Charge

YOUNG WINS REHEARING

Convicted for Burning Wife to Death, Justices Point Out Wholly Circumstantial Evidence in Case

From Jackson, Miss., Bureau of The Commercial Appeal

JACKSON, Miss., June 8.—Zack Cockrell, Webster County negro, and Kirk Young of Amite County, both under death sentences, today were granted new trials by the Mississippi supreme court.

In setting aside Cockrell's sched- execution for the murder of Ed Wilson, 16-year-old white youth, the court held that under the circumstances the grade of the offense was no greater than manslaughter.

Cockrell confessed killing the youth with a hammer and throwing his body in a burning building when he caught him with his wife.

Young, scheduled to be hanged for the burning to death of his wife won a reversal because, the court said, "the evidence, wholly circumstantial, was not sufficient to exclude every other hypothesis or theory save that of the guilt of the appellant."

Apparently in a "reversal" mood a week before the three months summer vacation beginning after next week's rendition of decisions, the court reversed the life sentence of Louis Boudreaux, Harrison County, convicted of attacking a 11-year-old girl; reversed and discharged Johnny Crosby, under life sentence from Lauderdale County for conspiracy in a murder for which John Wesley Williams was sentenced to be hanged, and ordered a new trial for R. J. King of Neshoba County, under a 10-year sentence for manslaughter in connection with the slaying of his brother.

In a civil suit, the court affirmed a judgment of $25,000 given Mrs. Mattie Rife Smith, professional trained nurse, against the Mississippi Central Railroad in Adams County, for permanent injuries received in an automobile - train wreck. The decision was the second in this case. The first ordered a reduction to $4,100 of the first judgment of $11,000. Refusing to accept the compromise offered, Mrs. Smith went into a new trial, showed permanent injuries as a result of the accident, and was awarded $25,000, which the court upheld.

Young Wilson was murdered in October, 1935, to which the negro confessed, testifying that he found him with his wife.

Pointing out that Cockrell was convicted on his own version of the facts, the court in an opinion written by Justice J. G. McGowen, asserted "we are of the opinion that the jury in this case was not authorized in finding the appellant guilty of murder under the decisions of this court and in other jurisdictions."

Attorney General Mentioned

The court then recited that the attorney general in presenting the case frankly admitted that the case is previously close to the rule set down in previous cases of a similar character.

Argument of the cruelty of destroying the body by the attorney general was not considered by the court, because, the opinion stated:

"The only evidence in this case is that the appellant says he killed the deceased with a hammer, and however cruel may have been the treatment of the body, in this case, the appellant is being tried for an act which effectuated the death of the deceased and not for what he did with the lifeless body. So far as burning the body is concerned, it may or may not be that the enormity of the offense to him and his household, presumably, aroused his passion to such pitch that it did not, at once abate, and it is just as logical to argue the act of burning the body was but a continuation of his aroused passion because of the adultery of his wife, which he had seen."

"In the case at bar," the court continued, "there is no evidence that appellant (Cockrell) had the slightest suspicion that his wife was leaving home for the purpose of engaging in the act of adultery with Wilson or with any man, and the fact that he discovered his wife and the deceased in the act of adultery under the circumstances, was adequate provocation to reduce the grade of homicide from murder to manslaughter."

In Boudreaux's case the court, in an opinion written by Chief Justice Sydney Smith, said the confession upon which the conviction was based was secured under duress or fear of violence.

Crime at Gulfport

The crime was committed at Gulfport, the girl said she dod not know her assailant, but suspicion was directed toward Boudreaux, and after his arrest mob violence was feared.

"It is clear, however, when the testimony of officers, that what occurred was that the officers informed the appellant of his danger from a mob and that if he confessed the crime they would take him to Jackson to a place of safety, but that if he did not they would have to take him to the girl assailed and her family for identification, in which event they might not be able to protect him from a mob," the court record recited.

"It is clear from this evidence that the first of these confessions was made by the appellant in order to obtain protection from threatened mob violence, and it does not appear that when he made the two subsequent confessions he had been relieved from that fear and that they were not made because thereof."

The 10-year prison sentence given King in Neshoba County was reversed and a new trial ordered because of testimony of Katherine King, six-year-old daughter of the deceased, who testified as an eye-witness. The court held that the examination of the child shows that she was so immature that she did not appreciate the nature of an oath; and, in view of her admissions that she has testified to what others had told her to say, it appears to us that she did not have such sense of moral responsibility or consciousness of a duty to speak the truth, as to qualify her as a witness.

"For the error in admitting her testimony the judgment of the court below is reversed and the cause remanded," the court said.

Cases decided by Division "A" follow:

BY JUSTICE J. C. M'GOWEN:

Masonite Corporation vs. George Dennis, Sr., circuit Perry; reversed and dismissed.

R. M. Allen, et al, vs. Mrs. Cyndia Allen, chancery Pike; reversed and remanded.

Brady Ray vs. State, circuit Winston; reversed and remanded.

Ida M. Hahn vs. Mrs. Katherine Owens, chancery Warren; reversed and decree for appellant.

Fred Taylor, exec., vs. Early H. Raby, et al, chancery Jackson; suggestion of error overruled.

BY JUSTICE W. H. COOK:

Johnny Crosby vs. State, circuit Lauderdale; reversed and appellant discharged.

R. J. King vs. State, circuit Neshoba; reversed and remanded.

V. E. Richardson vs. State, circuit Lowndes; affirmed.

Royce Kershaw, Inc., et al, vs. State of Mississippi, for use of C. C. Day, et al, circuit Lowndes; remanded to docket for argument before Division B at the first call of the docket for that division in September, 1936.

Dixie Greyhound Lines, Inc., vs. Marjor Merle Matthews, circuit Yazoo; remanded to docket for argument before Division B at the first call of the docket by that division in September, 1936.

Sovereign Camp, W. O. W. vs. J. A. Boykin, circuit Smith; affirmed.

Southern Forest Land Company vs. Amite County, circuit Amite; suggestion of error overruled.

BY CHIEF JUSTICE SYDNEY SMITH:

Mississippi Central Railroad Company vs. Mrs. Mattie Rife Smith, circuit Adams; affirmed.

Sovereign Camp, W. O. W., vs. Mrs. Henry Elizabeth McClure, chancery Choctaw; reversed and dismissed.

Louis Boudreaux vs. State, circuit Harrison; reversed and remanded.

The Gow Company, Inc., vs. Henry Hunter, Jr., circuit Warren; suggestion of error overruled.

D. A. Pritchard vs. James H. Hall, circuit Lafayette; suggestion of error overruled.

Louisville & Nashville Railroad Co. vs. J. O. Burrus, circuit Hancock; motion to retax costs sustained.

BY THE COURT EN BANC:

Jack Cockrell vs. State, circuit Grenada; reversed and remanded.

Kirk Young vs. State, circuit Amite; reversed and remanded.

Killings-1936

Mississippi.

Louisville, Miss. Journal
January 31, 1936

JUSTICE MOVES ON

One of the most unusual happenings in the South is for a white man to be hanged for killing a negro, but it seems there is going to be an exception soon. And after reading the description of a diabolical crime in Yalobusha county, everyone will gladly sanction it. In fact one of these brutes who was sent to the pen, should be brought back and hanged with the one just caught and tried. Read the following from the Coffeeville Courier:

On the morning after the night of the second Monday in July, 1932, the home of Lewis and Missouri Bryant and their son Coot Bryant, humble negroes living near Oakland, burned. The ashes and forms of two bodies were found in the smouldering ruins.

Miraculously, Misssuri Bryant lived to tell of the horrible beating and burning of her husband and son, and this is the story she tells:

William Mitchell and Arthur Cook, living about two miles away, came to their home late in the afternoon on the night the tragedy tookplace, intimating first that they desired to buy cattle, later posing as prohibition officers desiring to search the house. The three negroes, humbly submitting, were marched from where they were working in thier garden nto the house, their hands tied behind hem and their eyes blindfolded. Lewis was forced to hand over their life savings which amounted to better than $400. They were then beaten to insensibility, kerosene poured on them, and a match set to the two negro men. For some unknown reason, Missouri says, "Because she pleaded with her Lord," Mitchell did not set a match to her oil and blood saturated body and she made her way out to the cotton patch where she secreted herself until the men left, then crawled over to a nearby house.

The next morning Arthur Cook admitted the crime and the part he played, plead guilty to a murder charge, and was given a life sentence. He is at Parchman now.

According to Cook, he carried Mitchell to Como after the robbery and left him, he returned to Oakland and to Coffeeville next day where court was in session.

Nothing was heard from Mitchell until last year when Louisiana officers assisting local officers intercepted some letters from Wiley Thomas, Cuba, Mo., to Mitchell's people in New Orleans. This Wiley who Missouri Bryant says robbed, assaulted, and set fire to her husband and son, and whom Cook said plotted and abetted him in the crime.

Mitchell was arrested late last year in Missouri where he was operating an electrical shop and brought back to Yalobusha county.

His only defense was that he didn't remember anything that happened on the night of the crime. He said he could recall spending some time in the Oakland section with his wife's people in July, 1932, but the next thing he knew he was in Memphis, Tenn. He could give no plausible excuse of why he went to Cuba, Missouri, and lived under an assumed name.

Twelve good Yalobusha men deliberated the fate of William Clark Mitchell. After about an hour they returned a verdict "guilty as charged."

Judge Kuykendall immediately pronounced the sentence which was that on March 13, 1936, the defendant should be hanged.

All law-abiding, peace-loving citizens applaud the verdict of these twelve good and lawful men who patriotically served their state and county this week, and by their decision said that the homes and the people of Yalobusha shall be protected at all costs.—Coffeeville Courier.

SENTINEL

Grenada - Miss.

JAN 30

WHY NOT?

Some people make a big todo about the Yalobusha white man being sentenced to hang for the murder of a negro.

Why should he not hang? Was he not given the benefit of every doubt? Was he not tried by white men, sentenced by a white judge? Will he not be hanged by a white sheriff?

Was his crime any the less atrocious because it was perpetrated on harmless negroes? Was not life sweet to those negroes? Does not the law throw a cloak of protection about the life and property of the negro?

Bad negroes should be punished. Bad white men should be punished. Law abiding negroes should be protected just as law abiding white people should be protected.

Good negroes do not wish to encroach upon the rights of white men, and GOOD white men will NOT encroach upon the rights of negroes.

The negro who terspasses on the rights of white people WILL be punished; the white man who trespasses on the rights of the negro SHOULD be punished.

There is a place for the good negro. There is a place for the good white man. Neither the good white man nor the good negro has any desire to meddle, in an illegal way, with other.

We repeat, why should not the white man who was convicted of cold blood murder of a harmless negro be punished to the full extent of the law?

Three Condemned Mississippi Negroes Are Given New Trial

WASHINGTON, Feb. 17.—(AP)—Asserting that "the rack and torture chamber may not be substituted for the witness stand" the Supreme Court today set aside the death sentences imposed of three Mississippi negroes for murder.

Almost simultaneously the high court refused to interfere with penitentiary sentences given three men—Richard Galatas, Herbert Farmer, and Frank Mulloy — for conspiracy in connection with the 1933 Kansas City massacre involving an attempt to free Frank Nash, a convict, from police and Federal agents.

Chief Justice Hughes delivered the unanimous opinion granting the negroes a new trial—if the case is prosecuted further. He declared:

"It would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners."

He referred to testimony that confessions were obtained by hanging one of the negroes from a tree for a time and whipping the others while naked with a rubber strap with buckles on it. A deputy sheriff was alleged to have been present both times, with two other officers present at the whipping.

The Supreme Court has twice granted new trials to negroes condemned to die in the Scottsboro, Ala., attack case.

The Mississippi negroes, Ed Brown, Henry Shields, and Yank Ellington—were

convicted of slaying Raymond Stewart, a white planter, in Kemper County, Mississippi, on March 30, 1934.

"Aside from the confessions," Hughes said, "there was no evidence sufficient to warrant the submission of the case to the jury . . . That the evidence established that the confessions were procured by coercion was not questioned . . .

"The State may not permit an accused to be hurried to conviction under mob domination—where the whole proceeding is but a mask without supplying corrective process."

CINCINNATI, O.
POST

FEB 18 1936

TRIAL BY ORDEAL

THE United States Supreme Court has again rebuked states that permit brutal and cowardly officers of the law to obtain confessions by torture.

The high court's order yesterday saved from the gallows three Mississippi Negroes under sentence of death for murder of a white farmer. In affidavits the three men said they had confessed only after being hanged, beaten and otherwise cruelly abused by a mob led by a deputy sheriff.

Mississippi's Supreme Court majority had upheld the convictions on a technicality, and Mississippi pleaded the right to prescribe its own judicial procedure. This right, however, said Chief Justice Hughes, is limited by "the requirement of due process of law."

"Because a state may dispense with a jury trial, it does not follow that it may substitute trial by ordeal," he said. "The rack and the torture chamber may not be substituted for the witness stand."

At least one Mississippi judge had held this same view. Justice Virgil Griffith (may his tribe increase) in his minority opinion said:

"The transcript reads more like pages torn from some medieval account, than a record made within the confines of a modern civilization which aspires to an enlightened constitutional government."

In reversing this conviction the Supreme Court has done well by Mississippi and it has done the nation a service. The extortion of confessions has been common in many communities. A report to the Wickersham Commission by Ernest Hopkins told of finding 67 forced confessions in appellate court records alone between 1920 and 1930. How many did not get into the record one can only guess.

ALBANY, N. Y.
NEWS

FEB 21 1936

A Shameful Case

"THE rack and torture chamber may not be substituted for the witness stand," declared the United States Supreme Court in setting aside the death sentences imposed upon three Mississippi Negroes charged with murder of Raymond Stewart a white planter.

Chief Justice Hughes, who delivered the unanimous opinion granting the Negroes a new trial—if the case is prosecuted further—said that aside from confessions, extorted from the accused by extreme brutality, there was "no evidence sufficient to warrant submission of the case to the jury."

The Negroes were accused by a mob of whites and taken into custody after rough treatment. Then deputies flogged them repeatedly, giving them to understand that the beatings would be continued until they confessed as demanded, which they finally did.

This is the sort of evidence which the Supreme Court of Mississippi upheld though two judges did dissent! It is the record on which the State of Mississippi through its legal representatives, attempted to uphold the conviction before the United State Supreme Court!

That the Supreme Court reversed the conviction goes as a matter of course.

But where does the sovereign State of Mississippi stand in this matter?

There is just one thing that state can do to preserve a shred of reputation for decency, justice and some degree of enlightenment above that of the darkest ages of mankind.

It should set these Negroes free forthwith and prosecute vigorously the officers involved in this atrocious perversion of justice.

KNOXVILLE, TENN.
NEWS SENTINEL

FEB 18 1936

Trial By Ordeal

THE United States Supreme Court has again rebuked states that permit brutal and cowardly officers of the law to obtain confessions by torture.

The high court's order yesterday saved from the gallows three Mississippi Negroes under sentence of death for murder of a white farmer. In affidavits the three men said they had confessed only after being hanged, beaten and otherwise cruelly abused by a mob led by a deputy sheriff.

Mississippi's Supreme Court majority had upheld the convictions on a technicality, and Mississippi pleaded the right to prescribe its own judicial procedure. This right, however, said Chief Justice Hughes, is limited by "the requirement of due process of law."

"Because a state may dispense with a jury trial, it does not follow that it may substitute trial by ordeal," he said. "The rack and the torture chamber may not be substituted for the witness stand."

At least one Mississippi judge had held this same view. Justice Virgil Griffith (may his tribe increase) in his minority opinion said:

"The transcript reads more like pages torn from some medieval account, than a record made within the confines of a modern civilization which aspires to an enlightened constitutional government."

In reversing this conviction the Supreme Court has done well by Mississippi and it has done the nation a service. The extortion of confession has been common in many communities. A report to the Wickersham Commission by Ernest Hopkins told of finding 67 forced confessions in appellate court records alone between 1920 and 1930. How many did not get into the record one can only guess.

OKLA. CITY, OKLA.
NEWS

FEB 26 1936

TRIAL BY ORDEAL

THE United States Supreme Court has again rebuked states that permit brutal and cowardly officers of the law to obtain confessions by torture.

The high court's order yesterday saved from the gallows three Mississippi Negroes under sentence of death for murder of a white farmer. In affidavits the three men said they had confessed only after being hanged, beaten and otherwise cruelly abused by a mob led by a deputy sheriff.

Mississippi's Supreme Court majority had upheld the convictions on a technicality, and Mississippi pleaded the right to prescribe its own judicial procedure. This right, however, said Chief Justice Hughes, is limited by "the requirement of due process of law."

"Because a state may dispense with a jury trial, it does not follow that it may substitute trial by ordeal," he said. "The rack and the torture chamber may not be substituted for the witness stand."

At least one Mississippi judge had held this same view. Justice Virgil Griffith (may his tribe increase) in his minority opinion said:

"The transcript reads more like pages torn from some medieval account, than a record made within the confines of a modern civilization which aspires to an enlightened constitutional government."

In reversing this conviction the Supreme Court has done well by Mississippi and it has done the nation a service. The extortion of confessions has been common in many communities. A report to the Wickersham Commission by Ernest Hopkins told of finding 67 forced confessions in Appellate Court records alone between 1920 and 1930. How many did not get into the record one can only guess.

Killings-1936

Mississippi.

SHARECROPPER TORTURE CASE GOES TO U. S. SUPREME COURT FOR SHOW DOWN

Washington, Jan. 3.—The appeal of three colored Mississippi sharecroppers for a new trial will be heard here January 9 by the United States supreme court, it was announced this week.

The three sharecroppers, Ed. Brown, Yank Ellington, and Henry Shields, were convicted in Kemper county, Miss. of the murder of Raymond Stewart, a white tenant farmer. There was no evidence to connect the three men with the crime, except their "confessions," which were secured through inhuman torture. 1-10-36

Two justices of the Mississippi supreme court declared the Scottsboro cases were models of judicial procedure compared to the Kemper county case. They also declared that the torture inflicted upon the three men rivalled that of the Middle Ages and was unbelievable in modern civilization.

The argument for the trio will be made by Earl Brewer, Esq., of Jackson, Miss., who is being retained by the National Association for the Advancement of Colored People, the Interracial Commission, and other groups. John A. Clark, Esq., of DeKalb, Miss., who acted as attorney for the men in the lower court and fought the case in such a way as to preserve their constitutional appeals, has been named on the 1935 honor roll of **The Nation**, along with Justice Virgil Griffith of the Mississippi supreme court, who wrote the dissenting opinion. The case has attracted nation-wide attention.

TWO NEGROES JAILED IN WHATLEY MURDER

Pair Held In Secret Place—One Names Other

1-9-36

WEST POINT, Miss., Jan. 8.—Joe Phillips and George Owens, negro youths, were held in an unannounced jail tonight charged with the murder Dec. 27 of H. E. Whatley, filling station operator, near here. The negroes were arrested yesterday by Deputy Sheriff Johnny Franks and Deputy Fire Marshal J. D. McDonald.

Phillips, officers said, confessed no knowledge of the crime, claiming, however, that Owens fired the fatal shots. Owens disclaims any knowledge of the crime.

Phillips told officers that Owens shot Mr. Whatley twice with a pistol and that after eating food found in the place, set fire to the building and fled. The fire was extinguished later by passersby who discovered the crime.

NEGRO BOY ADMITS KILLING MERCHANT

Two Attempted to Burn Body After Slaying at West Point

1-13-36

WEST POINT, Miss., Jan. 12.—The murder and attempted cremation of Herman E. Whatley, one-armed merchant, here on the night of Dec. 27 was cleared up today by the reported confession of George Owens, 16-year-old negro, who lives near Whatley's store and filling station.

Officers T. G. Saul, J. R. Pryor, A. F. Adams, L. A. Ford and J. W. Franks said that Owens corroborated a previous confession allegedly made by Joe Phillips, another negro. Both are held in an unannounced jail.

Owens said he and Phillips plotted the death of Whatley; that after an argument with the storekeeper over five cans of sardines, Owen shot him twice with a .22 pistol, according to the officers.

They dragged his body inside the store, took $5 from his pockets, ate some sardines, potted ham and bread, and then poured kerosene over a cot. Alarmed by an approaching car, the negroes struck a match and fled, but the building did not burn up. They threw the pistol and knife into Walker's Lake, the statement said.

Both negroes will be charged with first degree murder, Deputy Franks said.

2 NEGROES CONFESS DEVILMENT SLAYING

Pair Held In Mississippi For Murder Of White Operator Of Filling Station

WEST POINT, MISS., Jan. 12.—(AP)—Deputy Sheriff J. W. Franks announced today that two negroes had confessed participation in the killing of Herman E. Whatley, one-armed filling station operator, for "devilment" last Dec. 27.

Franks said George Owens, 16-year-old negro, who was held in an unannounced jail, had confessed that he shot and killed Whatley with a .22 caliber pistol, and that Joe Phillips, another negro, admitted accompanying Owens.

The deputy sheriff said the negroes, who lived near Whatley's store and filling station, told him they brought some wood to Whatley's store and that Owens then suggested they "do some devilment."

1-13-36

"All right, what can we do?" Phillips was quoted as replying.

"Let's go kill Mr. Herman Whatley," Owens assertedly replied.

The negroes returned and Owens asked him to credit him for five cans of sardines.

"I would not credit you for a damn thing," Whatley was said to have replied.

"I owe you for a sack of six-cent tobacco and I won't pay you a damn thing," Owens said.

"I won't take that," Whatley replied.

The deputy said Owens then shot Whatley twice, once through the head and once through the heart.

Owens took two one dollar bills and about $3 in change from Whatley and he and Phillips ate some sardines, a can of potted ham and a loaf of sliced bread.

Owens poured kerosene over the floor and on the cot where Whatley's body lay. He then struck a match to some papers and stuck them beneath the cot. Several negroes who drove up extinguished the fire and notified officers.

Deputy Franks said formal charges of first degree murder will be filed against both Owens and Phillips tomorrow.

U. S. JUSTICES DISGUSTED AT TORTURE CASE

Says Miss. Trial Worse Than Scottsboro

1-14-36

WASHINGTON, Jan. 13—For the first time in the memory of many persons present the justices of the United States Supreme Court appeared Friday to be greatly shocked at the revelations of the "trial" of three Race sharecroppers from Kemper county, Miss.

Earl Brewer, Esq., of Jackson, Miss., who argued the case for Ed Brown, Yank Ellington and Henry Shields, the convicted men condemned to death for murder, made a masterly presentation of his case.

When the counsel for the State of Mississippi began arguing for sustaining the conviction, the justices were at no pains to conceal their indignation. At one point Chief Justice Hughes interrupted the the argument to ask:

"Do you mean that these defendants must be permitted to go to their death solely upon the basis of an extorted confession because their counsel failed to make proper objection?"

Justices Roberts and Van Devanter seemed equally unable to contain their indignation. Justice Roberts continually interrupted the argument to inquire whether there was any substantial evidence of guilt other than the confession, or whether there could be any justification for the conviction if the court should find that the confessions were not voluntary.

Justice Van Devanter became sarcastic about the testimony of the sheriff that he knew nothing about the beating of the defendants except for rumors which he had heard.

Justice Stone suggested that under the circumstances admitted by the state, the defendants were necessarily under influences which made it impossible that they speak voluntarily.

Brown, Ellington, and Shields were convicted of the murder of Raymond Stewart, a white tenant farmer, solely upon a "confession" which was secured by beating and torturing the three men in a manner as barbarous as the Middle Ages.

All were beaten with straps studded with nails, and Ellington was hanged repeatedly by the neck and let down again until he confessed. The Mississippi Supreme court sustained the conviction, but two justices wrote a dissenting opinion calling the case worse than the Scottsboro cases.

The N.A.A.C.P. and a number of individuals and groups in Mississippi are financing the appeal through the United States Supreme court. The decision on the argument last Friday is expected to be handed down by the supreme court in a few weeks.

High Court Asked To Free Negroes

WASHINGTON, Jan. 3.—(AP)—Lawyers for three negro workers sentenced to death for the slaying of a white planter in Mississippi asked the Supreme Court today to free them because their "purported confessions" were "extorted" by "cruel beatings and threats of death."

The court on Oct. 14 granted a review.

White Man Must Die For Killing Negro

COFFEEVILLE, Miss., Jan. 22.—W. C. Mitchell, 54, an electrician today was found guilty of the murder of Davis Bryant, negro, by a circuit court jury and sentenced by Judge John M. Kuykendall to be hanged March 13. Mitchell's attorney filed a motion for a new trial.

The negro was robbed and murdered in 1932 by robbers who then set fire to his home.

An accomplice has already been sentenced to life imprisonment.

Miss. Murder Trial Shocks Supreme Court

Case Involving Three Sharecroppers Is Revolting

By LOUIS R. LAUTIER

WASHINGTON, D. C.—The United States Supreme Court listened to arguments last Friday in the case of Ed Brown, Henry Shields and Yank Ellington, three ignorant Mississippi sharecroppers, who were convicted of the murder of Raymond Stewart, a white planter, on alleged extorted confessions.

Earl Brewer, a former governor of the state of Mississippi put to the Supreme Court the question whether these three men had received the benefit of due process of law within the meaning of the Fourteenth Amendment of the Constitution of the United States in their trial for murder in the Circuit Court of Kemper County, Mississippi.

He contended that due process was denied them in that the State of Mississippi had brought about their conviction by the use of illegal and incompetent evidence secured by officers in gross violation of the law. The "illegal and incompetent evidence" consisted of alleged confessions secured from the three men through their subjection to physical torture. The confessions were offered at the trial as freely and voluntarily made.

DENIES RIGHTS

Ex-Governor Brewer also contended that the three men were denied due process of law, within the meaning of the Fourteenth Amendment, in that their right to counsel was in reality denied them and because the trial judge entered judgment against them and sentenced them to death at a time when he had lost jurisdiction of the case through the denial to them of fundamental rights. He claimed no opportunity was afforded them to make proper motion for a new trial.

William D. Conn, assistant attorney general of Mississippi, sought to maintain the conviction of the sharecroppers. He was assisted in his argument by William H. Maynard. On the brief with Ex-Governor Brewer were J. Morgan Stevens and William H. Hewitt, prominent Mississippi lawyers, who were retained by the National Association for the Advancement of Colored People to appeal the conviction of the three men.

QUIZZED BY JUSTICES

When the counsel for the state of Mississippi began arguing for sustaining the conviction, the justices were at no pains to conceal their indignation. At one point Chief Justice Hughes interrupted the argument to ask:

"Do you mean that these defendants must be permitted to go to their death solely upon the basis of an extorted confession because their counsel failed to make proper objection?"

Justices Robert and Van Devanter seemed equally unable to contain their indignation. Justice Roberts continually interrupted the argument to inquire whether there was any substantial evidence of guilt other than the confession, or whether there could be any justification for the conviction if the court should find that the confessions were not voluntary.

Justice Van Devanter became sarcastic about the testimony of the sheriff that he knew nothing about the beating of the defendants except for rumors which he had heard.

Justice Stone suggested that under the circumstances admitted by the state the defendants were necessarily under influences which made it impossible that they speak voluntarily.

The record of the case, presented to the Supreme Court, discloses a trial in the Circuit Court of Kemper County, Mississippi, almost as farcial as the first trial of the Scottsboro case. The three sharecroppers were arrested, indicted, arraigned, tried and convicted within seven days.

RECORD OF CASE

Stewart was murdered on March 30, 1934. After the crime was discovered, Ellington was taken to the scene and there accused of the crime. He denied it. A mob seized him and with a deputy sheriff helping they hanged him by a rope to the limb of a tree.

The mob let him down, then hung him again. When he was let down the second time and still refused to confess, he was tied to a tree and whipped. He was finally released and returned home.

A day or two later a deputy sheriff, accompanied by another person, arrested him. They started with their prisoner towards the jail in an adjoining county, but went by a route which led into the State of Alabama. In Alabama, the deputy stopped and severely whipped Ellington, telling him the whipping would continue until he confessed. Ellington then agreed to confess to such a statement as the deputy would dictate. He was then taken to jail.

GROUP VISITS JAIL

Brown and Shields were arrested and taken to the same jail. On the night of April 1, 1934, the same deputy, accompanied by a number of white men, one of whom was an officer and another the jailer, visited the jail. Brown and Shields were made to strip and were laid over chairs and their backs cut to pieces with a leather strap with buckles on it. They were also made to understand that the whipping would be continued until they confessed. Under such circumstances, they confessed in every detail as demanded by their torturers.

Ellington, Brown and Shields were indicted on April 4, 1934. Late that afternoon they were brought from the jail in the adjoining county and arraigned. The court appointed counsel for them and the next day after their indictment they were put on trial for their lives. The trial ended on April 6, 1934, with conviction and death sentences.

The conviction was upheld by the Supreme Court of Mississippi on April 7, last, with a dissenting opinion by Justice W. D. Anderson, in which he said:

"Viewing this trial as a whole, it appears to me that it is condemned by the principles laid down by the Supreme Court of the United States in the Scottsboro cases. Appellants were denied due process—a fair and impartial trial. They were represented by counsel who had neither time nor opportunity to do their part. Due process counsel, either employed by the accused or appointed by the court.

CASE IN FEW WORDS

"The case in a few words is this: The murder one day. Appellants indicted the fifth day thereafter. The second day after the indictment they were tried and convicted on confessions of guilt whipped and beaten out of them."

The case went to the Supreme Court of Mississippi a second time on a suggestion of error. The conviction was again affirmed. Justice Virgil A. Griffith wrote a dissenting opinion, in which Justice Anderson concurred, holding that the Scottsboro Cases "are models of correct constitutional procedure as compared with this now before the court."

Justice Griffith predicted that "If this judgment be affirmed by the federal Supreme Court, it will be the first in the history of that court wherein there was allowed to stand a conviction based solely upon testimony coerced by the barbarities of executive officers of the state, known to the prosecuting officers of the state as having been so coerced, when the testimony was introduced, and fully shown in all its nakedness to the trial judge before he closed the case and submitted it to the jury, and when all this is not only undisputed, but is expressly and openly admitted."

THE PROCESSES OF JUSTICE WORK SO SLOWLY for Negroes that if justice is ever won by them it is more a matter of miracle than of retribution. The decision of the United States Supreme Court on February 17 in the case of Yank Ellington, Ed Brown, and Henry Shields caps a whole succession of miracles. The three boys were accused of the murder of a white man, strung up and whipped in order that a confession might be extracted from them, and convicted. Here the first miracle happened. One of the four lawyers who had been assigned by the court to defend them turned out to be a very able and humane white Southerner by the name of John A. Clark, who set for himself the task of compensating by his own humanity and energy for all the wrongs which his fellow-whites had inflicted on the Negroes. The second miracle was Associate Justice Griffiths of the Mississippi Supreme Court, who, even when the majority had denied the appeal of the boys from their conviction, read a magnificent dissenting opinion in which the entire story of the torture of the defendants and the forced confession was set down. The climax of the case has now come in an opinion by Chief Justice Hughes in which he sets aside the convictions. The editors of *The Nation* are proud to have printed an article in the issue of December 11, 1935, by Robert W. Horton, which told the story and helped arouse interest in the case.

Killings-1936

Missouri.

NEGRO SLAYER IS SOUGHT

Commercial Appeal

Search for Ax Murderer of Missourian Extends to Kentucky

CHARLESTON, Mo., May 4.—(AP)—Sheriff J. O. King said today an investigation into the ax slaying of W. L. King, 41, farm laborer in the Pin Hook community of Mississippi County, Saturday night was extended to Hickman, Ky. 5-5-36

The sheriff, not a relative of the slain man, held a warrant for the arrest of a negro known as Sam Dennings, alias Joe Riley. He left the farm of Sam Blessingim, where he was employed, with King late Saturday to buy some moonshine whisky, the officers learned. King's body was found Sunday.

King had been married but he and his wife were estranged, the sheriff said. A brother, Monroe King of Phillips, Tenn., and a sister, Mrs. Oscar Adams of Dorena, survive.

Crowd Horrified At Turkey-Day Game

A fight between a man and a youth under the east stand of the Public School Stadium about five minutes before the end of the Vashon and Sumner football game at 4 p .m. Thursday, resulted in the death of both. Herman Byndon, 18, 1017 N. 14th St., died almost instantly from a stab wound in the hear while the other, Harold Lumpkins 32, 3106 Garfield Ave., was pronounced dead at Hospital No. 3 from wounds in the left chest, neck and abdomen. Both the men were laborers. They were identfied at he morgue by their fathers.

Thomas Stroud, 2922 Laclede Ave a guard stated that he observed the men fighting. He said that Byndon was apparently killed by falling on the knife. Search failed to disclose the knife after the cuttings and it could not be ascertained if both had knives. No one could be found who could tell what the trouble started over.

Hundreds of the football spectators were attracted by the excitement and many women screamed as they viewed the bloody body of Byndon which lay at the entrance of the Stadium for 25 minutes before being removed.

Killings- 1936

New York

SUGAR HILL SHOCKED BY KILLING, SUICIDE AFTER QUARREL OVER FINANCES

Patrolman John Robertson Takes Own Life After Killing His Wife

BURIAL WEDNESDAY

Police Officer and Wife Said To Have Been Near Separation

Residents of "Sugar Hill" were shocked Saturday afternoon by a murder and suicide when Patrolman John H Robertson, 39, fired four shots into the body of his wife, Annie, and then turned the gun on himself in their apartment at 365 Edgecombe avenue.

Patrolman Robertson, who was attached to the West 135th street police station was dressed and ready to report for duty at the station house, about 2:30 p. m., when according to a friend, Miss Constance Daniels, of 2 W. 137th St., who was visiting the apartment at the time, the couple engaged in an argument. When Robertson pulled his service revolver, aimed it at his wife, and fired four times, the visitor ran out of the house screaming for help. Patrolman Ladislaus Story of the 30th Precinct was called from his post but when he arrived at the apartment Mrs. Robertson was dead and Robertson had committed suicide. The woman was shot four times—twice through the right breast, and twice through the left side—and Robertson was dead of a shot through the mouth.

Patrolman Robertson, a native of Alabama, was a familiar figure on Seventh avenue, patrolling a beat between 139th and 142nd streets. He had been a policeman for ten years, a World War veteran and an expert pistol shot. He had an excellent record.

Mrs. Robertson, who was 45, was a native of the British West Indies and was the mother of Frank Kelley, 19, by a former marriage. According to the son, his mother and Robertson had married about 13 years ago. He could offer no explanation of the tragedy when seen by a reporter for The New York Age other than to say that it must have been "domestic trouble."

Couple Frequently Quarrelled

Neighbors said that the Robertsons had quarrelled on numerous occasions recently. According to the dead woman's sister, Mrs. Hassell of 192 Bradhurst avenue, the quarrells were mostly caused by money matters. She said that Robertson had become carcless about supporting his wife and when she threatened to leave him, he told her he would kill her. Matters came to a climax last week when, he is said to have only given her $3 from his semi-monthly pay check.

He is said to have refused to give her money to pay the rent on their apartment and so she began quietly looking for another home for herself. At the same time she is alleged to have told him that she would either make him support her or make him lose his job. It was at the height of this argument that the policeman became so enraged he whipped out his gun and killed her.

Say She Nagged Him

Friends of the dead policeman, on the other hand, said that he was probably goaded into committing the crime by his wife's constant nagging him. She was a devout member of the United Sabbath Day Adventist Church, they said, and when they could find nothing else to quarrel about she would start persuading him to join the church. She was also said to have been suspicious of her husbaand and is frequently said to have visited him while he was on his Seventh avenue "beat" trying to find out if he was paying attention to other women. It was this constant turmoil at home that goaded Robertson beyond human endurance, his friends said in explanation of the tragedy.

Funeral services for the dead policeman were held from the H. Adolph Howell Funeral Chapel, Inc., on Tuesday night and service for the wife from the United Sabbath Day Adventist Church on 131st street, Elder J. K. Humphrey, pastor, on Wednesday afternoon. The woman was buried in the plot with her first husband at St. Michael's Cemetery, Long Island City, while the policeman was buried in the National Cemetery, Brooklyn.

Killings-1936

North Carolina

CLEVENGER KILLER CRACKS IN PRISON

Moore Admits Confession Not Forced; "Ah Don't Know Why Ah Did It."

By JOHN A. PARRIS JR.

(Copyright, 1936, by the United Press.)

CENTRAL PRISON, RALEIGH, N. C., Aug. 23.—(UP)—Clutching a worn Bible in his black hand, Martin Moore shuffled up to the door of his cell on death row today and said he might as well tell he killed pretty, blond Helen Clevenger.

Just 12 hours before, a Buncombe county jury found the gangling negro guilty of the murder of the New York University honor student at Asheville 40 days ago.

Warden H. H. Honeycutt accompanied the United Press correspondent during the interview.

Until now, Moore a former hall boy at the Battery Park hotel where the crime was committed, had said he confessed to the slaying because officers beat him.

"Ah might as well tell ah killed her," Moore told us as he hunched his six-foot, three-inch body in the tiny cell just eight paces from the death house.

"They've Got Me."

"Yeah, ah might as well tell that, 'cause they've got me and ah'm gonna die."

It was when prison attendants fitted him into his gray prison clothes that the negro began talking.

Moore told Reid Willis, prison technician:

"Ah don't know why ah did it."

"Ah went to the girl's room after ah'd gone to two or three others and they was all locked. Ah opened the door and there the girl was on the bed.

"She got up and asked me what ah wanted. She came toward me. Ah guess ah was scared, 'cause ah hit her and then shot her on the floor.

"Ah didn't know she was dead, mister—not till ah read it in the papers."

Moore told Willis he only went to the girl's room to rob it.

Had he ever thought about looting a room before, Willis asked him.

"It was the first time ah ever thought about it," Moore answered.

"No, suh, ah don't belong to no church. Ah did go some though."

Moore said he was glad he was to be executed by gas instead of electricity, if he had to die.

"Ah read in the papers that the gas kind of chokes you but makes you go off to sleep," Moore said.

"Ah don't believe it will hurt so much. Ah don't want to be electrocuted. They say you just breathe the gas and that's all.

Doesn't Hear Truth.

"Is that right, mister?" the negro asked.

His eyes softened up a bit and he swallowed hard as he asked the question. And he looked beyond us toward the heavy door that hides the state's death house where gray clouds of gray gas floats up from the floor to kill the condemned.

"That's right, Martin," we told him.

We didn't tell him that it is a long death, that men squirm in the chair, choke themselves when the plumes of gas sear their throat and burn their eyes and nostrils, that their legs work up and down like pistons.

"IT WASN'T ME" MOORE REPEATS

Prisoner Promises To Tell "Something Important" Soon

SEEKS APPEAL

RALEIGH N. C.—(S N S)—Insisting that "It wasn't me" who killed Miss Helen Clevenger 18-year old white New York University co-ed, Martin Moore, 22, Asheville, N. C., promised newspaper reporters Sunday he would "tell something important about the case" before the day he is scheduled to die in the gas chamber for the murder.

During the interview, Moore continued to maintain that a confession he killed the white woman was "licked out of me."

The man was brought here from Asheville by deputies in an armoured car around midnight Saturday following the termination of the trial. He was convicted Saturday of the hotel murder and sentenced to die in the North Carolina gas chamber.

Moore was alone in his cell late Sunday night with a package of cigarettes, a bucket, a bed and a bible.

His attorneys have been given 45 days in which to perfect an appeal, which would automatically stay the execution.

A part of his interview with reporters:

"Do you think you got a fair trail, Martin?" reporters asked him.

"They say I did," he mumbled.

"What do you say?"

"I say they say I did."

"Do you maintain you didn't kill Miss Clevenger?"

"I didn't do it."

"Then who did?"

"Well, it wasn't me," he said. "That's all I know."

"They licked it out of me. They beat me with a hose and punched me in the stomach. Thats why I signed it; because they licked it out of me."

Moore asserted he knew nothing about the National Association for the Advancement of Colored People which is reported to be interested in his case.

"I never heard of it," he said.

ASHEVILLE NEGRO IS SENT TO DEATH ROW

Martin Moore, Doomed To Die For Girl's Death, Still Claims Innocence

RALEIGH, N. C., Aug. 23.—(AP)—Still maintaining a confession he killed Helen Clevenger was "licked out of me," Martin Moore, 22-year-old Asheville negro, told reporters today he would "tell something important about the case" before the day he is to die in the gas chamber.

Moore was convicted yesterday of the hotel room murder in Asheville July 16 of the pretty 18-year-old New York University co-ed.

Brought here from Asheville in an armored car by four deputies shortly after midnight, the six-foot-three negro was put in a cell on "death row" at the Central State Prison.

He was interviewed briefly by reporters and Warden H. H. Honeycutt this afternoon. Then he was left alone with a copy of the New Testament.

Moore declined to say what the "something important" was.

"Do you think you got a fair trial, Martin?" reporters asked him.

"They say I did," he mumbled.

"What do you say?"

"I say they said I did."

"Do you maintain you didn't kill Miss Clevenger?"

"I didn't do it."

"Then who did?"

"Well, it wasn't me," the negro said. "That's all I know."

Moore, wearing "death row" denim, was sitting on the edge of the bed in his whitewashed cell. His long, coal-black face with its protruding lower lip was expressionless. His eyes were bloodshot. His knees came up to his chest; he was resting his chin on them without bending his back. His hands touched the floor.

Other "death row" inmates were shouting back and forth to each other. They paid no attention to Moore.

The copy of the New Testament, given him by prison officials, lay unopen in a corner of the cell.

"Are you ready to die, Martin?" newsmen asked him.

"I ain't afraid of dying," the negro replied. "I ain't afraid of gas; it's just like going to sleep. But I ain't going to die."

The former hall boy in the fashionable Battery Park Hotel was sentenced last night to be asphyxiated Oct. 2.

His attorneys were given 45 days to perfect an appeal, however, which would automatically stay the execution.

At Asheville the chapter of the National Association for the Advancement of Colored People met this afternoon to consider plans for Moore's appeal to the State Supreme Court for a new trial.

MARTIN MOORE MAKES CONFESSION OF MURDER

Substantiates One Previously Made Before Denying Crime, Sheriff Says.

RALEIGH, N. C., Aug. 26.—(AP)—Edwin Gill, state commissioner of paroles, said today Martin Moore, towering 22-year-old negro, had confessed he murdered pretty Helen Clevenger in Asheville July 16.

Announcement of the purported confession, which was substantially the same as the one Moore was said to have made to Sheriff Laurence E. Brown of Buncombe county, came after the commissioner had questioned the negro three hours.

"I want to tell somebody the truth, and I guess I might as well tell you," Gill quoted Moore as saying.

"She screamed and I shot her. She fell and I took the bulb out to put out the light. I hit her four times in the face with my pistol. She laid back on the floor."

Moore was brought here from Asheville after he was convicted of murder Saturday.

"On my first visit he denied his guilt," the paroles commissioner said. "On my second visit (last night) he made a full but brief confession. On my third visit this afternoon he confirmed his previous confession in great detail."

Gill said Moore seemed "resigned to his fate" and appeared calm.

Present as witnesses during the interview were R. Bruce Ethridge, director of the state department of conservation and development; Robert G. Johnson, of Burgaw, speaker of the state house of representatives; Warden H. H. Honeycutt, and several penal division officials.

The commissioner said Moore "completely exonerated" W. L. Roddy, negro fellow hotel employe. Previously Moore had claimed he had lent his pistol to Roddy and that it was in the latter's possession on the night the 18-year-old New York University co-ed was slain.

SEVERAL CALLED IN N. C. FLOGGINGS

Grand Jury Investigating Alleged Beatings in Columbus.

WHITEVILLE, N. C., Aug. 24.—(AP)—District Solicitor John J. Burney said tonight "several witnesses" had been ordered to appear Thursday for a grand jury investigation of alleged flogging cases in Columbus county. The identity of the witnesses was not divulged.

Judge M. V. Barnhill, of Rocky Mount, in his charge to the grand jury this morning, ordered the jury to investigate what he described as newspaper reports indicating some persons were "undertaking to take the law into their own hands and punish certain Columbus people whom they thought guilty of transgressing the law."

Four men and two women of the Clarendon section told a previous grand jury they were taken from their homes and flogged several times by a hooded band.

"Nothing can so destroy the government on which the people depend for protection than the continuation of such incidents," Judge Barnhill told the grand jurors. "Individual citizens who undertake to administer justice without trial may destroy the government."

Stomach Ache Worries Negro In Death House

RALEIGH, N. C., Aug 24—(AP)—Martin Moore, 22-year-old Asheville negro yawned today in his "death row" cell and complained of a stomach ache when told by prison guards it was unlikely he would be executed before Christmas Day for the savage slaying of pretty Helen Clevenger.

"What's the difference," shrugged the six-foot-three inch former hotel hall boy. "Ah didn't do it, but ah knows ah'm going to die."

Then he clutched his stomach and said he didn't "feel so good."

CAROLINA POLICE SHOT BY NEGRO

Telegraph

Ben Thrower Finally Killed After Wounding 15 Men With Buck Shot at Windsor

10-5-36

WINDSOR, N. C., Oct. 4 (AP)—Driven from his house by fire after tear gas and dynamite had failed to dislodge him, Ben Thrower, Negro, was shot and killed today after he had wounded 12 white men and three Negroes with buck shot.

Macon, Ga.

Two persons were seriously wounded. They are J. W. Waters, chief of police here, and a state highway patrolman named Welch. Waters was shot in the chest and Welch in the mouth and the back of the head.

Among others wounded were Sheriff F. M. Dunston, of Bertie county, Assistant Police Chief W. L. Smallwood, and H. M. Morris and A. B. Gilliam, both of Bertie county.

Smallwood said he answered a call at Thrower's house on the outskirts of town about 8 o'clock this morning. The Negro had been fighting with his brother, on arriving there, he said, the Negro shot at him.

House Is Fired

Although wounded in the mouth, leg and chest. Smallwood exchanged five or six shots with the Negro before going for help.

Barricaded in his home, Thrower held a large crowd of citizens and law enforcement officials at bay for almost six hours. Sniping, he picked off his victims one by one.

Tear gas shot into this house failed to dislodge him. Dynamite was thrown at the home, but the officers would not get close enough to do much damage.

When his house was set on fire, the Negro waited until the place was nearly demolished, then came out screaming and shooting.

Smallwood shot him three times before he had moved ten paces. He died instantly.

Charlotte, N. C., News
November 26, 1936

The Mill Grinds for Moore

National organizations zealously seeking civil rights to defend have found the Southern States a fertile field for their enterprises, as witness yesterday's Arkansas conviction of a planter for peonage. But yesterday, also, North Carolina's Supreme Court confirmed the death sentence of Martin Moore, the Asheville Negro hotel employee who killed Helen Clevenger, and no professional savior of the oppressed has spoken or is expected to.

Here is one case which was of national interest and was handled to the apparent satisfaction of everybody. Not even the defendant, waiting in Death Row, raises a voice in violent protest. The girl was killed, brutally. The killer was caught at last and made a confession which later he affirmed. The State was zealous of his rights but found him guilty and deserving of no mercy. He will die in the next two weeks for his crime.

Killings-1936

North Carolina

Gas Cell Awaits Alabama Negro

RALEIGH, N. C., Jan. 21.—(AP)—North Carolina's new lethal gas chamber will take its first life Friday morning, barring some unforeseen eventuality.

Allen Foster, stocky Birmingham, Alabama, negro, is to be asphyxiated for criminally assaulting a Hoke County white woman.

Commissioner of Paroles Edwin Gill interviewed Foster in his cell on death row at the central prison yesterday, reiterated his previous announcement that Gov. Ehringhaus would not intervene in Foster's behalf.

Foster, Gill said, continued to maintain he is innocent of the charge on which he was convicted.

The negro, a CCC member assigned to a camp in Robeson County, near Hoke, was picked up by officers shortly after the young woman was assaulted. She positively identified him as her assailant.

Alabama Negro To Die Today In North Carolina Lethal Gas Chambe

RALEIGH, N. C., Jan. 23.—(AP)—North Carolina will inaugurate the use of lethal gas as its method of execution tomorrow when Allen Foster, young Alabama negro convicted of criminal assault on a Hoke County white woman, will die in the newly constructed little death chamber at Central Prison here.

Warden H. H. Honeycutt said tonight all preparations had been made for the first scheduled asphyxiation east of the Mississippi River.

Foster, a stocky 20-year-old negro, reaffirmed his denial of guilt late today and declined the offer of the warden to call any minister of any faith the negro might want for tonight or tomorrow.

"There ain't any use my talking to a preacher," Foster said. "I can tell the Lord I ain't guilty as soon as I can tell it to a preacher. If I die tomorrow, I'll die innocent. I'm feelin' mighty tough. The soul can be all right, but the flesh ain't."

Two Arrested In Asheville Death

Tubercular Girl, Musician Quizzed In Slaying Of Co-ed At Resort Hotel

ASHEVILLE, N. C., July 19.—(AP)—A 19-year-old tubercular girl and a 35-year-old German-born concert artist were detained for questioning today in the mystery murder of pretty Helen Clevenger in a fashionable hotel here.

The musician, Mark Wollner, was taken into custody last night. The girl, Mildred Ward, was detained today after Sheriff Lawrence E. Brown announced he had obtained statements from three persons disputing her testimony backing up the blond, stockily-built musician's alibi.

The sheriff said reddish stains were found on the violinist's clothes and that they were being analyzed.

Wollner, jailed last night and grilled for five hours, said he returned to his room at the Wards's home at 9:30 p.m. Wednesday and remained there until 8 a.m. Thursday morning.

Miss Ward, who lives with her mother, Mrs. Bessie Ward, corroborated Wollner's alibi, the sheriff said.

Officers fixed the time of Miss Clevenger's murder at 1 a.m. Thursday morning, during a raging electric storm. The pretty blonde New York co-ed was found shot and her face hacked with a knife in her room at a resort (Battery Park) hotel.

Dr. H. I. Summer, the county health officer said the Ward girl suffered from "cavities of the lung" and had been a bed patient intermittently for the past five weeks.

Dressed in a grey business suit and a green hat, Miss Ward, a slim brunette, was brought to the jail for questioning by two deputies, who took her in custody at her home.

Sheriff Brown said Miss Nevada Whitaker, 28, a next-door neighbor of the Wards, had signed a statement she saw Wollner return home at 6:30 a.m., Thursday morning.

He quoted her as saying Wollner knocked on the window of Mildred Ward's room and then went up the back steps of the house.

Wollner, the sheriff quoted her as saying, walked "with difficulty, as though he had been injured."

The sheriff said the girl continued:

"Five hours later I saw Wollner and Miss Ward come onto the back porch. Miss Ward tried to keep the man from leaving, but he broke away. He was carrying a pair of trousers under his arm."

Mrs. Roy Bailey, 23, who lives in the same house with Miss Whitaker, corroborated her story in every detail, the sheriff said.

The sheriff announced he also had obtained a signed statement from Charles English, 19, that Wollner walked into a cafe operated by his mother at 6:15 a.m. Thursday and had a cup of coffee.

Both Wollner and Miss Ward were held simply "for questioning." No specific charge was placed against either. The sheriff said they could be detained under this status 48 hours.

Meanwhile, two possible new clues — a blood-stained paper knife and a bloody hotel room key — turned up as police pressed their investigation into the baffling murder of the New York University honor student.

Raleigh, N. C. Observer
July 12, 1936

P. 10

Blackjacks

At a warehouse dance in Greenville attended, we are told, by 3,000 Negroes, two women became disorderly. When two policemen tried to remove them, the women resisted, and the policemen thereupon used blackjacks on them. The result was a riot in which two Negro men were shot by the same officers.

It is not strange that there was a riot. The use of blackjacks on women's heads or bodies is calculated to produce a riot anywhere in the world. The only wonder is that there were not worse consequences.

The two Greenville officers contrived to turn a bad situation into a dangerous one, and it is nothing to their credit that they could not control it without the use of bullets on men and blackjacks on women. Here is another police department that would be made more efficient by a course of lectures on its own duties and limitations.

SUSPECT ON TRIAL IN CO-ED SLAYING

Six Witnesses Testify as State Marshalls Evidence Against Young Negro.

ASHEVILLE, N. C., Aug. 19.—(AP)—Six witnesses testified today as the state marshalled evidence by which it hopes to convict Martin Moore on charges of murdering Helen Clevenger, New York University co-ed.

The day's testimony, at a brief afternoon session, was largely routine.

Professor W. L. Clevenger, of North Carolina State College, the girl's uncle with whom she was traveling when killed, at the Battery Park hotel, told of finding her bullet-pierced and gun-battered body in her room several hours after she had been dead.

His story was corroborated by A. H. Tumblin, with a model of the hotel floor; Harry Laetsche, hotel carpenter; Ray McComas, assistant manager of the hotel, and Pat Branch, manager of the hotel.

Dr. Howard L. Summer, Buncombe county physician, described the wounds of the Staten Island, N. Y., girl, to the jury, which had been selected during a fast-moving morning session of the superior court, presided over by Judge Donald F. Phillips.

A high spot in the afternoon of testimony came when Branch, on cross-examination, said that Moore, 22-year-old, six-foot-three negro, former hall boy at the hotel, bore a good character.

Re-examined by Solicitor Zeb V. Nettles, Branch in answer to a question denied that he gave the negro a good character because he was afraid the hotel was to be made defendant in a civil action growing out of the case.

Two thousand persons in the packed courtroom were tense as Clevenger began his recital, while uniformed officers guarded the room's seven entrances against hundreds more who were unable to gain admission.

Returned to Hotel.

The bald, heavy-set witness said he and his niece visited Marshall, N. C., on July 15, but returned that night to the Battery Park hotel, he to Room 231, she to 224.

"When did you last see your niece?" asked Solicitor Zeb Nettles.

A. About 10 o'clock that night, when we separated at the elevator.

Q. When did you next see her?

A. The next morning about 8 o'clock when I went to her room. I tapped and rattled the doorknob and it opened. I saw her body crumpled on the floor. I went out into the hall and called the man they said was the house carpenter.

At this point Solicitor Nettles withdrew the witness and introduced a miniature design of the hotel floor and A. H. Tumblin, who built the design. Tumblin explained the size, position and contents of the rooms of the floor.

Position of Body.

Professor Clevenger returned to the stand and pointed out from the model the position of the New York University co-ed's body.

Clevenger said the house carpenter looked into the honor student's room and telephoned the hotel office.

"I was not sure whether she was dead or unconscious," he said when Judge Phillips asked if the girl were dead.

The defense declined to cross-examine Clevenger.

Harry Laetsche, the 48-year-old carpenter, corroborated Clevenger's testimony of knocking at the door of the Staten Island, N. Y., girl and calling him to the room.

Q. What did you see in there?

A. A body.

Q. A woman's body?

A. Yes, sir.

He said Ray McComas, assistant manager, came up "three or four minutes" after he telephoned the office.

McComas, he said, viewed the body and called for Pat Branch, the manager, who "came up a few minutes later."

Waited Few Minutes.

He said he and Branch waited "about 15 minutes more" until Dr. Dave Buck, house physician, arrived. He said no others entered the room until Deputy Sheriff Tom Brown arrived.

The defense also passed Carpenter, and the state called McComas.

He said he viewed the body and came out and suggested Clevenger go back to his room. He detailed other points brought out by previous witnesses. The defense also declined to question him.

Dr. Buck testified Miss Clevenger's heart was not beating when he examined her.

He said she had been dead "several hours."

Q. Did you see a wound in her chest?

A. No, not then, but I did at a later examination.

The physician said the bed apparently had not been slept in. He testified an undergarment was on a chair and shoes beneath the chair.

The coroner, he said, was called at 9:05 a. m., adding that officers arrived "about 9:45" and the coroner "about 30 minutes later."

No Cross-Examination.

No cross-examination was made of the physician and the state called Branch, the 63-year-old hotel manager, who said only Dr. Buck was authorized by the hotel authorities to enter Miss Clevenger's room.

Branch was cross-examined by Thomas A. Jones Jr., who developed through the witness that the hotel had about 200 guests the night of the slaying and "about 60 or 65" employes.

Asked if it would be possible for a person to conceal himself in the hotel without registering, Branch replied "it might be possible."

Q. Do you know Martin Moore?

A. Yes.

Q. Is his character generally good?

A. Yes.

Solicitor Nettles re-examined Branch.

Q. I'll ask you if you're not giving Martin Moore a good character because you're afraid the hotel is to be named defendant in a civil action?

A. No.

Dr. Howard L. Sumner, county health officer, who examined the body at a mortuary, testified the top lobe of the girl's left lung had been penetrated by a bullet and the left side of the face had been battered.

The solicitor offered her picture taken at the mortuary which showed the wounds, but Judge Phillips ruled it could not be admitted as evidence, but permitted Dr. Sumner to show the photograph to the jury in explaining the wounds.

Dr. Sumner said the bullet entered below the first rib, ranged downward and lodged about 11 inches beneath, near the back. The defense passed the physician and Judge Phillips recessed court at 4:55 until 9:30 a. m., tomorrow.

Clevenger Jury Demands Death

Giant Negro Sentenced To Die Oct. 2 In State's Gas Chamber; Appeal Slated

By DIX SARSFIELD
Associated Press Staff Writer

ASHEVILLE, N. C., Aug. 22.—(AP)—Martin Moore, gaunt black man, was convicted today of slaying little blonde Helen Clevenger with a pistol in her Battery Park Hotel room here July 16 and was sentenced to die Oct. 2 in the State gas chamber.

Judge Don Phillips asked the negro: "Martin, have you anything to say?"

His huge arms folded across his chest, the six-foot-three former hallboy shook his head and then murmured almost inaudibly:

"I want to thank the jury."

Turning to the jury, Judge Phillips said:

"He says he wants to thank the jury."

Then the judge asked Moore:

"Have you anything else to say, Martin?"

The defendant shook his head.

Joseph F. Clevenger, 61-year-old father of the slain five-foot-one New York University student, rubbed his pale cheek briskly with his hand as Foreman John S. Hersey read the verdict in the hot, packed courtroom.

A slender, yellow sister of the defendant broke into tears, but if the verdict stunned Moore he failed to show it. As throughout the trial, he maintained an appearance of apathy.

Ordered to his feet for the verdict, he slowly raised his lank figure from his chair and balanced himself with one ham-like hand on a chair in front of him, his head drooping slightly.

The jury was out almost an hour, although one member said only one ballot was necessary to decide the case.

Appeal Notice Filed

The defense filed notice of an appeal to the State Supreme Court after Judge Phillips denied a motion that the verdict be set aside.

Conviction in the four-day trial came as the swift climax to a day largely devoted to arguments by counsel for and against the negro who once confessed and then denied that he crept through the hotel's familiar aisles and out to wash blood from his hands in a driving rain after the killing.

The jury agreed with the contention of Solicitor Zeb V. Nettles and prosecuting officers that the confession was valid and conformed to facts known about the crime prior to Moore's arrest. It turned aside the defense contention that the 22-year-old negro confessed only after being subjected to beatings with a rubber hose in his cell.

Judge Phillips praised the jury for its decision and said Moore had received a fair trial. The same view was taken, for the most part, in a statement by the Rev. M. L. Breeding, an observer for the National Association for the Advancement of Colored People, who said, however, "there are some few points in the trial that are not quite clear to me.

"We will take the matter up with our main office in New York on helping the appeal of Martin Moore. In the main the proceedure was orderly and apparently fair, but there are certain questions in my mind. Our only object in watching the trial was to see that Moore was given a just trial. We are not interested in trying to obstruct justice if he is guilty."

Helen Clevenger was shot and her face battered in a room at the Battery Park Hotel about 1 a.m. July 16 while a thunderstorm roared.

Her body was found at 8:30 a.m. by her uncle, Prof. W. L. Clevenger, of N. C. State College at Raleigh. She had been traveling with him in this section on what her father, of Staten Island, N. Y., described at the trial again "educational and recreational" tour.

Pajama clad, she lay, legs crumbled behind her, almost in the door of her room where, in the confession he later repudiated, Moore said he left her after killing her in panic when she screamed as he entered her room with the intention of robbing it.

She had been shot through the lung. Her face was mutilated, apparently by the pistol butt. The confession which Moore later disavowed said he slugged her with the pistol as she went to her knees, screaming for help, after the shot failed to silence her.

Several Questioned

Several persons were taken into custody for questioning, including the prominent violinist Mark Wollner and W. L. Clevenger, but for 24 days Sheriff Laurence E. Brown and other officers went without material clues—except the bullet, which was found to have been fired from an out-of-date automatic.

Then Banks Taylor, another employe of the hotel, informed authorities Moore, a hall boy, owned such a gun.

Found at home, Moore admitted owning the blood-stained weapon, and led officers to its hiding place, but maintained at first he had lent it to L. D. Roddy, negro bellboy, the day before the crime. Moore was taken to the Buncombe Courthouse late at night for questioning.

Almost 12 hours later—at midday Sunday, Aug. 9—Sheriff Brown announced the negro had confessed. Newspapermen, county officials and numerous officers were present as a written confession was drawn up, acknowledged paragraph by paragraph and then signed by Moore.

The six-foot-three, soot-black negro then went to the hotel—to the girl's second floor room—and reenacted the crime for officers and cameramen.

"That's What I Done"

On the witness stand he said "That's what I done, but I done it because I was scared."

He said again that Roddy, a slender yellow negro, had the gun the fatal night, that he only confessed because a "fat man" from New York (later identified by counsel as Detective Quinn) had beaten him with a rubber hose for 20 minutes and "said he would beat me to death."

Moore produced negro alibi witnesses who swore he was attending a birthday party at the time of the slaying.

The State offered expert testimony that Moore's pistol was the death weapon, that it held a strand of amber hair the same color as Helen's. Officers and others denied he was mistreated to make him confess. They testified the confession as originally made, and Moore's reenaction of the crime, were not influenced, but still tallied exactly with facts they had already learned of the crime.

The prosecution also spent some time proving an alibi for Roddy, who was accused directly by Schroop Styles, defense attorney, in his closing argument as the killer.

CONFESSION IS DENIED IN CLEVENGER TRIAL

Negro Tells Court Police Used Fists, Rubber Hose

VICTIM'S FATHER FAINTS

Parent of Slain Girl Taken from Court Room—Jury Out When Details of Asheville Admission Given

BY DIX R. SARSFIELD
Associated Press Staff Writer

ASHEVILLE, N. C., Aug. 20.—Martin Moore, fighting for his life, told Judge Don Phillips today that fists and a rubber hose were used to wrench from him a confession that he killed 18-year-old Helen Clevenger in her hotel room in the small hours of July 16, while a thunderstorm raged outside.

The lank 22-year-old negro, whose appearance on the stand sent the girl's father, J. F. Clevenger, into a fainting spell, made the statement in the absence of the jury while the judge was considering whether to admit the confession into evidence.

After lengthy arguments and questioning of several witnesses, the judge allowed two witnesses to tell what they heard as Moore confessed, but refused to allow Sheriff Laurence E. Brown or other officers to present the signed statement or details of its contents.

Sheriff Denies Coercion

Clevenger, whose home is at Great Kills, Staten Island, N. Y., was carried to his hotel and placed under care of a physician.

Answering charges of coercion by defense counsel while the jury was out, Sheriff Brown said:

"The only thing I said to him was that if he told me the truth about this matter I would tell the judge he told me the truth."

Siding with the defense claim of coercion and inducement, Judge Phillips snapped:

"Objection sustained."

Moore told the court "a fat man" whose name he did not know "beat me with a rubber hose and hit me in the stomach with his fist" while he was being questioned in jail.

"Fat Man" Involved

"The fat man," Moore said, also told him officers had found his fingerprints on a lamp shade in the girl's room. Prior to the trial Sheriff Brown said no fingerprints of any value were found.

Walter B. Orr, former Charlotte, N. C., chief of police who aided in the investigation of the case, said two New York detectives, "Quinn and Martin," were present while Moore was questioned. He described Quinn as weighing "about 200 pounds.

Orr said he stopped a fight between Moore and W. L. Roddy, negro fellow employe of the defendant at the Battery Park Hotel, while the two were handcuffed together. Moore had claimed Roddy borrowed the gun which he later admitted he used to kill the girl when she frightened him by screaming when he entered her room to rob it.

Witnesses Give Version

Roddy, also called to the stand with the jury still out, denied he had borrowed any gun, and said Moore told him in jail:

"'It was an accident,' referring to the shooting and clubbing of the New York University honor student.

Judge Phillips allowed Dr. Mark Griffin and A. Bridgewater, a radio repair man, who told him how Moore talked freely of the killing shortly after his arrest, to repeat their stories before the jury. Both said the negro admitted the crime.

Bridgewater said Moore remarked:

"They ought to be given 10to 15 years for the crime."

Asked if he had gone to the room planning to assault the girl, Bridgewater said the negro replied:

"No, sir; no, sir."

While Moore was on the stand with the jury out, Solicitor Zeb V. Nettles asked him if, at a conference with him, he hadn't said "that the confession was freely made."

"Yes, suh," Moore replied, "but I was scaredto open my mouth."

Dr. Griffin said that when he questioned the negro in jail he appeared "calm and composed."

Hair On Pistol

Dr. B. E. Morgan said he saw the negro in jail and found him bruised, and C. V. Calhan, courthouse janitor, said a rubber hose was missing the day after Moore's arrest.

At the afternoon session of court Deputy Sheriff Tom K. Brown told of finding the death pistol hidden at Moore's home, and Sheriff Brown identified the weapon. Moore, his shoulders hunched and huge hands spread before him, listened, apathetic.

David Indorff, pawn shop employe, told of selling the automatic to "that colored fellow there," pointing to Moore; Deputy Sheriff Frank Messer told of taking the bullet and weapon to Harry Schwartz, assistant to a toxicologist in New York.

Schwartz testified he found human blood on the gun and turned it over to Dr. B. M. Vance, an assistant medical examiner of New York City, who testified he found a human hair caught in the magazine of the automatic.

"A light amber color," he said. "I think it came from a person with light colored hair."

Little 108-pound Helen, whose five feet of height compared with the six feet three of the defendant, was blonde.

She was shot through the lung, and Moore's signed statement said he battered her in the face with the butt of the gun when the bullet failed to silence her screams. Her face was badly smashed.

EIGHT TESTIFY AT CLEVENGER TRIAL

Alleged Confession Of Negro To Be Introduced Today

ASHEVILLE, N. C., Aug. 19—(AP)—Eight witnesses testified today in Superior Court as the prosecution began weaving the web of evidence it hopes will send Martin Moore, negro to the gas chamber for slaying Helen Clevenger, New York University student, in a hotel room here July 16.

Most of today's testimony merely established the circumstances of death, leaving until tomorrow efforts of Solicitor Zeb V. Nettles to get into the record a confession Sheriff Laurence E. Brown said the tall black negro made when arrested ten days ago.

J. Scroop Styles, court-appointed defense lawyer, told newsmen the defense would challenge the document, claiming it was obtained under duress, that leniency was promised and that the defendant was not legally under arrest when he signed it.

Styles created a flurry when he asked to be relieved after Sanford W Brown, another Asheville attorney, announced he had been retained by Moore's sister. Judge Phillips admitted Brown to The court appointed Styles and Thomas A. Jones, Jr., last week when the negro was represented as without funds to employ counsel. defense counsel and induced Styles and Jones to continue.

Killings-1936

North Carolina

Negro Wounds 15 And Is Slain

Barricaded Against North Carolina Officers Until Flames Drive Him Out

WINDSOR, N. C., Oct. 4.—(AP)—An apparently crazed negro who sniped with deadly accuracy at citizens and law officers, was riddled with bullets when he came screaming from his barricaded shanty here today after a six-hour siege in which he wounded 15 persons, two seriously.

A crowd estimated by Mayor J. A. Pritchett at 2,000 persons assembled to watch the pitched battle.

After dynamite and tear gas had proved ineffective, J. C. Johnston, Windsor youth, crawled on his stomach to the rear of the shanty, hurled a handful of blazing kerosene-soaked rags on a porch, and fled.

The negro, Dennie Thrower, 30, remained in the house with a shotgun, a pistol and two boxes of shells until he was surrounded by flames. Then, with his clothes on fire, with the pistol in one hand and the gun in the other, he came out shrieking and shooting.

Assistant Chief of Police W. L. Smallwood of Windsor, himself twice wounded in the affray, sent three bullets into Thrower's body before he had dashed 10 paces. Other officers' guns were fired almost simultaneously. The negro died instantly.

Two Seriously Wounded

The two seriously wounded were Windsor Chief of Police J. M. Waters, shot in the chest and lung, and State Highway Patrolman A. W. Welch, shot in the mouth and back of the head.

Both are expected to recover.

Among other wounded were Sheriff C. B. Roebuck, of Williamston; Sheriff F. M. Dunston, of Bertie; Assistant Police Chief Smallwood, and C. E. Phelps, E. P. Spivey, Lewis Byrd, M. H. Morris and A. B. Gillam, all of Bertie County.

Smallwood answered a call to Thrower's house at 8 o'clock this morning when he was informed the negro was making a disturbance. As he alighted from his car in front of Thrower's home on U. S. Highway 17, near the outskirts of town, the negro fired at him, Smallwood said, wounding him in the mouth, leg and chest with 12-guage shot.

Smallwood returned the fire, then went for aid.

Officers and citizens, armed with pistols, rifles and shotguns, surrounded the shanty.

Shifting from window to window, Thrower aimed deliberately, picking off his victims at distances up to 150 yards.

Bomber Shot

Tear gas bombs, rushed here from Tarboro, could not be shot into the house from the distance the officers were forced to keep.

Three bales of cotton were placed on the rear of a truck which was backed up almost to the house. When Patrolman Welch rose behind the bales to discharge a tear gas gun he received a load of shot in the face.

Sticks of dynamite hurled at the house blew off a portion of the roof, but failed to dislodge the negro, who cooly continued his well-aimed sniping.

Finally, Johnson volunteered for the job of setting the shanty on fire. The crowds cheered as he dashed away from the back porch unhurt. For half an hour longer while the flames made steady progress, the negro held his shanty fortress.

Then, as what remained of the roof collapsed, he came out shouting, holding the pistol in his left hand and the gun in his right, with the stock against his hip.

At least one of Smallwood's shots, fired from a high-powered rifle, struck him in the head.

Five highway patrolmen and officers from neighboring counties participated in the siege. This small community was so crowded that all traffic was routed around it for three hours.

STANDS OFF MOB OF 2000 FOR 2 HOURS

Report Mayor And Police Officials Conspicuous Among Terrorists

WINDSOR, N.C. Oct. 9 (Special)—Dennie Thrower, 30 years of age, a respectable citizen of this city wrote his own anti-lynching bill here Sunday when he refused to be lynched without some kind of a protest.

A mob of 2,000 persons led by Mayor J. A. Pritchett and Assistant Chief of Police W. L. Smallwood, went to Thrower's home and attempted to take him out and lynch him. It was held back five hours.

Refused To Be Lynched

Thrower, who had committed no offense refused to be lynched and in his refusal fifteen of the would-be lynchers were shot down. Thrower was finally shot and killed, but it was not until he had made a determined effort to protect his home and family.

Police demanding that Thrower open the door and let them in, were riddled with bullets. Declaring that he would die first before he gave up for a crime which he had not committed, Thrower used a pistol and two boxes of shells from a repeating rifle. The mob was then forced to call out the fire department who set the house up in flames after a six-hour siege.

Citizens Up In Arms

Smallwood went to Thrower's home when he was informed that the man was causing a disturbance. During the course of the argument Thrower shot Smallwood down.

Citizens were up in arms over the attack upon Thrower and wondering why it was necessary for a mob of 2,000 people to go to a man's home when the charge was a minor offense.

Neighbors said they knew of no disturbance and that Thrower was one of the best citizens in the city.

Hotel Boy Dies In Gas Chamber For Murder Of N.Y.U. Coed

Martin Moore In Final Protest Of His Innocence

RALEIGH, N.C., Dec. 18.—The state of North Carolina is satisfied—it exacted the supreme penalty from a Race boy charged with the murder of a New York university coed here Monday night.

Deadly fumes of lethal gas snuffed out the life of 22-year-old Martin Moore, gangling hotel hallboy in the North Carolina gas chamber. He was executed for the killing of Helen Clevenger in Asheville last July.

Moore went to his death protesting his innocence. Police claimed he had confessed the killing to them several weeks after the death of the girl when certain "evidence" pointed the finger of suspicion at him.

In this "confession" Moore was said to have told police he shot and beat the 18-year-old college girl to death after he broke into her room on an intended burglary attempt. The girl was in the room, to Martin's surprise. When she threatened to scream, Moore's confession said, he shot her.

Later Moore repudiated the confession, charging it was obtained from him under duress and that he had been beaten within an inch of his life by the police before he consented to acknowledge a crime that was not his.

Twelve and one half minutes after he entered the death chamber Moore was pronounced dead.

Dr. William Pickens Relates Interesting Facts on Moore Case

Says Many Asheville People Of Both Races Think White Man Murdered Miss Clevenger

By William Pickens (for ANP)

Asheville, N. C., Dec. 12—Today is Saturday, December 12, 1936. Yesterday in North Carolina a tall black youth named Martin Moore of 22 years was executed by gas for the murder of Helen Clevenger, a New York University student in an hotel of Asheville. And you read in the papers that the black "bell

Perhaps you are one of those who feel [illegible] the black boy repudiates his confession, charging it was obtained from him under duress and that he had been beaten within an inch of his life by the police before he consented to acknowledge a crime that was not his.

Twelve and one half minutes after he entered the death chamber Moore was pronounced dead.

A white man in the next room to the girl heard a scream; when he went to his room door he saw a man standing in girl's room door, in the lighted hotel hallway. Without owing that the scream had come from that room, of course, aid to this man: "Thought I heard a scream, wonder where came from." The man replied: "That's what I was wonder-

Neglected Facts

ing."

If this person had been a six foot black, that guest would have noticed it. But he described him as another white,—never even hinted that he could have been black.

For days the hunt was for a white. A taxi man testified that he saw a white man run out of the hotel a few minutes later and jump a low fence.

The girl's body was discovered next morning, shot by a 32-caliber bullet. After the sheriff, who was soon coming for re-election, could not locate any white culprit, he turned to the blacks, something just had to be done before election: all the "big" whites and businessmen of Asheville were crying out, lest Asheville get a bad name as a dangerous hotel resort.

And how the whites do work together in such an emergency! The man next door aided the black-hunt now by changing his testimony,—saying he was not just sure that the intruder whom he saw said: "That's what I was wondering," but maybe he had said: "Dat's Whut I'sè wunderin'."

Inquiring the officers found that among all the back servants, only one, Martin Moore, possessed a 32-caliber gun at his home. They arrested him and beat the living lights out of him until he "confessed,"—the sheriff further inducing his "confession" by telling him that he was going to be convicted, "but" that if he confessed like a good-boy the sheriff would speak a good word "to the judge." Whether he was guilty or innocent, this was a plain offer to the boy of a choice of a lesser evil, and in his ignorance, weakness and terror, he seized the lesser evil,—both to be rid of the torture and to get the "kind" assistance of the officers.

"But," the prosecution will tell you, Moore also confessed to another person, who came later and did not beat him. Well, the boy said in court that he knew that the sheriff sent this other party, and he did not dare to doublecross the sheriff and lose the promised help.

And who was "defending" this deserted, helpless black? Two white lawyers appointed by the court, as a mere formality; and they made no effort to lay proper foundation for ultimate appeal of the case.

And now some sidelights that courts never heard, and would not consider if they did hear them: While the hunt for the slayer was going on, the telephone rang in the home of one of the "biggest" white men in Asheville. He was in his bath, and his wife was out, so that the colored maid had to answer the phone. The caller was another well-known white man, and hearing that the other man could not come to the phone and in the excitement mistaking the voice of that of the madam of the house said: "Well, you tell him that we have found out who killed that Clevenger girl, it was the degenerate son of. . . !"

The maid, with fear and confusion, exclaimed: "Wait, I can't tell him that.—I'll call him and you'll have to tell him yourself." When the bather heard who it was, he brought his wet body to the phone, and after asked the maid: "How much did you hear?" She told him. "Well," said he, "just forget you heard anything."

The degenerate son named as the killer is a well-known pervert who lived in the hotel where the kliling occurred,—and the killing had occured at an hour when Martin Moore, the bell boy, was not on duty. Nobody had testified that Moore was there at the time. But the degenerate was got out of town the next morning, so that he was never questioned. He had been in trouble before; while all evidence showed that Moore had never been in trouble, and even the hotel owner testified that his record as a bell boy was faultless.

The whites around the streets and the filling stations do not believe that the Negro was guilty, and all the blacks who knew him doubt it. Only the obliging black members of the "Interracial Commission" were "sure" and "glad" of conviction,—and wrote belly-crawling letters to the white people's newspapers thanking the "good white folks" for removing such a black monster from the law-abiding colored people's midst.

Meanwhile, some filling station white worker, while putting gasoline into a car from the city and not knowing that any colored person was eavesdropping, was asking with a taunt: "Why in the hell don't you all turn that 'nigger' loose? You know no nigger killed that woman.

But Moore is dead—the case is closed—the sheriff was re-elected—and Asheville, N. C., is still a healthy and "safe" place for tourists.

Killings-1936

North Carolina

Beaten to Force Murder Confession, Man On Trial for Killing Girl Says

Martin Moore, Negro hotel boy, is shown here conferring with his attorneys in court at Asheville, N. C., as he went on trial for the slaying of Helen Clevenger, New York university co-ed. Although Moore was said by Sheriff Laurence E. Brown to have confessed the slaying, his lawyers are basing their attack on the confession. Left to right: Sanford W. Brown, Thomas A. Jones, Jr., Moore, and J. S. Styles.—(Associated Press Photo.)

ASHEVILLE, N. C., Aug. 14 (AP)—Martin Moore, fighting for his life, told Judge Don Phillips today that fists and rubber hose were used to wrench from him a confession that he killed 18-year-old Helen Clevenger while a thunderstorm raged about her hotel room in the small hours of July 16.

The lank 22-year-old Negro, whose appearance on the stand sent the girl's father, J. F. Clevenger, into a fainting spell, made the statement in the absence of the jury while the judge was considering whether to admit the confession into evidence.

After long arguments and questioning of several witnesses, the judge allowed two witnesses to tell what they heard as Moore confessed, but refused to permit Sheriff Laurence E. Brown or other officers to present the signed statement or details of its contents.

Coercion Charges Answered

Answering charges of coercion by defense counsel while the jury was out, Sheriff Brown said:

"The only thing I said to him was that if he told me the truth about this matter I would tell the judge he told me the truth."

Siding with the defense claim of coercion and inducement, Judge Phillips snapped:

"Objection sustained."

"Fat Man" Used Hose

Moore told the court "a fat man" whose name he did not know "beat me with a rubber hose and hit me in the stomach with his fist" while he was being questioned in jail.

Walter B. Orr, former Charlotte, N. C., chief of police who aided in the investigation of the case, said two New York detectives, "Quinn and Martin," were present while Moore was questioned. He described Quinn as weighing "about 200 pounds."

Orr said he stopped a fight between Moore and W. L. Roddy, Negro fellow employe of the defendant at the Battery Park hotel, while the two were handcuffed together. Moore had claimed Roddy borrowed the gun which he later admitted he used to kill the girl when she frightened him by screaming when he entered her room to rob it.

Martin Denies Beating

NEW YORK, Aug. 20 (AP)—New York Police Detective Thomas J. Martin, who aided in the arrest of Martin Moore, accused of the slaying of 18-year-old Helen Clevenger, said tonight "Moore wasn't touched by anybody" during questioning of the Negro suspect.

Moore told Judge Don Phillips of Asheville, N. C., today that fists and a rubber hose were used to obtain from him a confession that he killed the girl in an Asheville hotel room last month.

Detective John J. Quinn, Jr., who was called in on the investigation with Martin, could not be reached for comment. He was reported out of the city on a vacation.

NOT GUILTY PLEA IN CLEVENGER KILLING

Negro Who Confessed Claims Innocence At Formal Arraignment

By DIX CARSFIELD
Associated Press Staff Writer

ASHEVILLE, N. C., Aug. 17.—(AP)—Martin Moore, 19-year-old negro, pleaded innocent upon arraignment today in Buncombe Superior Court to an indictment charging him with the murder a month ago of Helen Clevenger, New York University student.

"I am not guilty," the six-foot three-inch hotel hallboy replied, when Solicitor Zeb V. Nettles read the indictment.

"How will you be tried?" Nettles queried.

"By God and my country," the negro answered in the legal ritual upon prompting of defense attorneys.

"May God grant you true deliverance," the solicitor concluded.

Judge Donald Phillips set the trial for Wednesday morning and ordered a special venire drawn.

The negro who confessed, Sheriff Laurence Brown said, to slaying the pretty blonde student, was arraigned only on the murder charge, although the Grand Jury returned two true bills. One charged murder, the other first degree burglary. Both are capital crimes.

Moore showed only slight interest in the preliminaries.

Sheriff Brown, chief investigator of the case, was the first witness before the grand jury. Brown presented what he said was the negro's confession that he shot and beat Miss Clevenger to death early the morning of July 16 in her Battery Park Hotel room.

Moore related in the confession, the sheriff said, that he entered the room bent upon robbery and shot the young student when she threatened to scream and telephone the hotel office.

Sheriff Brown has said he believes the negro went to the room with intentions of criminal assault.

Solicitor Nettles said about 35 witnesses had been summoned by the prosecution. The list includes W. L. Clevenger, uncle of the slain girl. Miss Clevenger was accompanying her uncle, a faculty member at N. C. State College, on a dairy inspection tour of North Carolina when she was killed.

ORAL CONFESSION ADMITTED IN TRIAL

Prosecution in Clevenger Case Gets Admission Before Jury After Fight.

COURTROOM, ASHEVILLE, N. C., Aug. 20.—(UP)—Fighting to save Martin Moore, giant negro hallboy, from death in North Carolina's lethal gas chamber, his defense attorneys today lost two of their major points when the oral confession of the negro and the pistol used to kill blond Helen Clevenger, New York co-ed, were admitted into evidence.

It was a bad day for the prosecution, with the state scoring heavily and breaking the attack of the defense that Moore's confession to officers was illegally obtained.

To further clinch its case, Solicitor Zeb Nettles, chief of the prosecution staff, sent David M. Indorf, employe of a loan and pawn shop, to the witness stand to tell how he sold Moore the pistol with which Helen Clevenger was slain 34 days ago.

Manuel Hirsch, also employed at the same shop, corroborated Indorf's testimony.

Defense Argues Illegality.

The defense argued that the seizure of the pistol at Moore's shack more than a week ago was illegal, but Judge F. Don Phillips permitted it to enter the records as evidence against the negro when he found Moore had volunteered its location to officers.

Only a few hours previously the defense had suffered its first major setback in its fight to save Moore's life when an oral confession made by the negro after he was arrested was entered into the records.

The signed confession which Moore gave Sheriff Laurence Brown that he killed Miss Clevenger when he went to her room in the Battery Park hotel here, July 16, to rob her was barred following Brown's testimony that he had promised Moore he would "tell the judge about it if you will tell me the truth."

The trial was thrown into momentary confusion when J. F. Clevenger, elderly father of the slain girl, fainted after the green pajamas his daughter wore the night of her death were waved dramatically before the jury. Clevenger was just preparing to enter the courtroom for the first time when he fainted.

Girl's Father Faints.

He slumped into unconsciousness and was carried to a hotel, where he was revived after several hours and returned to the courtroom for the afternoon session. He came here today as a spectator.

Deputy Sheriff Tom Brown, brother of the state, and which was fired into the body of Miss Moore for the state, and which was fired into the body of Miss Clevenger. He was excused without man Clevenger. He was excused without cross-examination, and Judge Phillips ordered the second time during the day for the second time during the day from the courtroom. Earlier the 12 businessmen and farmers were taken out when Sheriff Brown, brother of the mountaineer sheriff, was first a wrangle over admission of the negro's written confession exploded between defense and state attorneys.

This time, while the jurymen waited the trial convened.

He testified he found the cartridge

Killings-1936

North Carolina

Beaten to Force Murder Confession, Man On Trial for Killing Girl Says

Martin Moore, Negro hotel boy, is shown here conferring with his attorneys in court at Asheville, N. C., as he went on trial for the slaying of Helen Clevenger, New York university co-ed. Although Moore was said by Sheriff Laurence E. Brown to have confessed the slaying, his lawyers are basing their attack on the confession. Left to right: Sanford W. Brown, Thomas A. Jones, Jr., Moore, and J. S. Styles.—(Associated Press Photo.)

ASHEVILLE, N. C., Aug. 14 (AP)—Martin Moore, fighting for his life, told Judge Don Phillips today that fists and rubber hose were used to wrench from him a confession that he killed 18-year-old Helen Clevenger while a thunderstorm raged about her hotel room in the small hours of July 16.

The lank 22-year-old Negro, whose appearance on the stand sent the girl's father, J. F. Clevenger, into a fainting spell, made the statement in the absence of the jury while the judge was considering whether to admit the confession into evidence.

After long arguments and question-ing of several witnesses, the judge allowed two witnesses to tell what they heard as Moore confessed, but refused to permit Sheriff Laurence E. Brown or other officers to present the signed statement or details of its contents.

Coercion Charges Answered

Clevenger, whose home is at Great Kills, Staten Island, N. Y., was carried to his hotel and placed under care of a physician.

Answering charges of coercion by defense counsel while the jury was out, Sheriff Brown said:

"The only thing I said to him was that if he told me the truth about this matter I would tell the judge he told me the truth."

Siding with the defense claim of coercion and inducement, Judge Phillips snapped:

"Objection sustained."

"Fat Man" Used Hose

Moore told the court "a fat man" whose name he did not know "beat me with a rubber hose and hit me in the stomach with his fist" while he was being questioned in jail.

Walter B. Orr, former Charlotte, N. C., chief of police who aided in the investigation of the case, said two New York detectives, "Quinn and Martin," were present while Moore was questioned. He described Quinn as weighing "about 200 pounds."

Orr said he stopped a fight between Moore and W. L. Roddy, Negro fellow employe of the defendant at the Battery Park hotel, while the two were handcuffered together. Moore had claimed Roddy borrowed the gun which he later admitted he used to kill the girl when she frightened him by screaming when he entered her room to rob it.

Martin Denies Beating

NEW YORK, Aug. 20 (AP)—New York Police Detective Thomas J. Martin, who aided in the arrest of Martin Moore, accused of the slaying of 18-year-old Helen Clevenger, said tonight "Moore wasn't touched by anybody" during questioning of the Negro suspect.

Moore told Judge Don Phillips of Asheville, N. C., today that fists and a rubber hose were used to obtain from him a confession that he killed the girl in an Asheville hotel room last month.

Detective John J. Quinn, Jr., who was called in on the investigation with Martin, could not be reached for comment. He was reported out of the city on a vacation.

NOT GUILTY PLEA IN CLEVENGER KILLING

Negro Who Confessed Claims Innocence At Formal Arraignment

By DIX CARSFIELD
Associated Press Staff Writer

ASHEVILLE, N. C., Aug. 17.—(AP)—Martin Moore, 19-year-old negro, pleaded innocent upon arraignment today in Buncombe Superior Court to an indictment charging him with the murder a month ago of Helen Clevenger, New York University student.

"I am not guilty," the six-foot three-inch hotel hallboy replied, when Solicitor Zeb V. Nettles read the indictment.

"How will you be tried?" Nettles queried.

"By God and my country," the negro answered in the legal ritual upon prompting of defense attorneys.

"May God grant you true deliverance," the solicitor concluded.

Judge Donald Phillips set the trial for Wednesday morning and ordered a special venire drawn.

The negro who confessed, Sheriff Laurence Brown said, to slaying the pretty blonde student, was arraigned only on the murder charge, although the Grand Jury returned two true bills. One charged murder, the other first degree burglary. Both are capital crimes.

Moore showed only slight interest in the preliminaries.

Sheriff Brown, chief investigator of the case, was the first witness before the grand jury. Brown presented what he said was the negro's confession that he shot and beat Miss Clevenger to death early the morning of July 16 in her Battery Park Hotel room.

Moore related in the confession, the sheriff said, that he entered the room bent upon robbery and shot the young student when she threatened to scream and telephone the hotel office.

Sheriff Brown has said he believes the negro went to the room with intentions of criminal assault.

Solicitor Nettles said about 35 witnesses had been summoned by the prosecution. The list includes W. L. Clevenger, uncle of the slain girl. Miss Clevenger was accompanying her uncle, a faculty member at N. C. State College, on a dairy inspection tour of North Carolina when she was killed.

ORAL CONFESSION ADMITTED IN TRIAL

Prosecution in Clevenger Case Gets Admission Before Jury After Fight.

COURTROOM, ASHEVILLE, N. C., Aug. 20.—(UP)—Fighting to save Martin Moore, giant negro hallboy, from death in North Carolina's lethal gas chamber, his defense attorneys today lost two of their major points when the oral confession of the negro and the pistol used to kill blond Helen Clevenger, New York co-ed, were admitted into evidence.

It was a bad day for the prosecution, with the state scoring heavily and breaking the attack of the defense that Moore's confession to officers was illegally obtained.

To further clinch its case, Solicitor Zeb Nettles, chief of the prosecution staff, sent David M. Indorf, employe of a loan and pawn shop, to the witness stand to tell how he sold Moore the pistol with which Helen Clevenger was slain 34 days ago.

Manuel Hirsch, also employed at the same shop, corroborated Indorf's testimony.

Defense Argues Illegality.

The defense argued that the seizure of the pistol at Moore's shack more than a week ago was illegal, but Judge F. Don Phillips permitted it to enter the records as evidence against the negro when he found Moore had volunteered its location to officers.

Only a few hours previously the defense had suffered its first major setback in its fight to save Moore's life when an oral confession made by the negro after he was arrested was entered into the records.

The signed confession which Moore gave Sheriff Laurence Brown that he killed Miss Clevenger when he went to her room in the Battery Park hotel here, July 16, to rob her was barred following Brown's testimony that he had promised Moore he would "tell the judge about it if you will tell me the truth."

outside, the defense argued the legality of the seizure of the pistol used to kill the girl.

Sheriff Identifies Pistol.

Phillips ruled that since Moore had volunteered location of the gun its seizure was not illegal.

Sheriff Brown then identified the pistol for the jury. He said the gun and the cartridge were turned over to Deputy Frank Messer, who carried them to New York for examination.

After Indorf and Hirsch testified, Messer was recalled to testify he carried the pistol and shells to Sergeant Harry Butts, New York police ballistic expert.

Dr. Ben M. Vance, assistant medical examiner of New York, then told of examing the same gun. He said he found four small "fibers" on the gun.

"Three of them were lint or cotton," he said. "The other was finer and under chemical treatment proved to be human hair.

"In my opinion it came from the face or scalp," Vance testified. "I think it came from a person with light colored hair."

The state then called Harry Schwartz, first assistant to the chief medical officer of New York. He said he examined the pistol and that chemical tests of scrapings from the gun "were all human blood."

Prosecutor Nettles then called E. B. Pittman, state banking examiner, of Raleigh, who occupied Room 220, just across the hall from Miss Clevenger the night she was slain, to testify.

Pittman said he heard four or five screams about 1 a. m. the morning the youthful co-ed was killed. He said he stepped into the hall to learn of their origin.

"I saw a figure standing in the doorway of Room 224," Pittman told the jury. "I asked him what the trouble was. A man's voice said, 'I was wondering that myself.'"

Explaining that he was beaten, Moore said one officer hit him in the stomach with his fist and then struck him with a four-foot hose.

Dr. B. E. Morgan, Asheville mental specialist, said he examined Moore and found three bruises on the left arm.

Dr. Morgan said he could not tell what caused the bruises.

Pittman was not cross-examined.

The trial adjourned after the state sent Miss H. E. Johnson, Spartanburg, S. C., assistant housekeeper of the hotel, to testify. She said she occupied Room 126 the night of the murder and that she heard a woman scream between the hour of 12 midnight and 1 a. m.

Nettles said he had another witness he wanted to put on the stand but couldn't do so until tomorrow. He revealed the witness was J. F. Clevenger, of New York, father of the slain girl, who fainted in the courtroom today.

The courtroom was packed again today.

BAN 'FORCE' CONFESSION

AS UNFAIR

N. C. Prisoner Says He Was Beaten To Get Confession

TRIAL IS ON

BY SPECIAL STAFF WRITER

ASHEVILLE, N. C.—(SNS)—Because Martin Moore, 22 year old hotel employe, told the court that a fat man beat him with a rubber hose and hit him in the stomach with his fist by which means a confession that he killed 18 year old Helen Clevenger, white New York university co-ed, was wrenched from him, Judge Don Phillips sided with the defense by not allowing the written confession to enter into the evidence.

Moore was arrested nearly two weeks ago by Sheriff Brown who produced a written confession which said Moore admitted of his own accord and without any coercion that he killed the Clevenger girl.

The appearance of the defendant on the stand as he was about to testify before the jury, sent the girl's father, J. F. Clevenger, into a fainting spell, and he had to be carried to his hotel and placed under the care of his physician. Defense attorneys charged that Moore's confession was gotten under coercion. After long arguments and questioning from several witnesses, the judge allowed two of the witnesses to testify what they heard as Moore confessed.

Two New York detectives are said to have been present at the time Moore was questioned and the confession obtained, according to Walter B. Orr, former Charlotte, N. C., chief of police who aided in the investigation.

Sheriff Brown's answer to defense counsel's charges of coercion was: "The only thing I said to him was that if he told me the truth about this matter, I would tell the judge he told the truth."

Martin Moore is being tried for the murder of Helen Clevenger, which was committed on the night of July 16 in an Asheville, N. C. hotel while a storm was raging. Before the arrest of Martin Moore several other persons, all white, were held and questioned, but released. Moore was the last to be arrested, said to be on a tip given by a fellow employe, W. L. Roddy, at whose home the gun used to kill the girl was found by Sheriff Brown.

Martin Moore Convicted Of Killing Girl in Hotel

MARTIN MOORE

ASHEVILLE, N. C., Aug. 22 (AP)—Martin Moore, gaunt black man, was convicted today of slaying little blonde Helen Clevenger with a pistol in her Battery Park Hotel room here July 16 and was sentenced to die Oct. 2 in the state gas chamber.

With his huge arms folded across his chest, the six-foot-three former hallboy only shook his head when asked by Judge Don Phillips:

"Martin, have you anything to say?"

Joseph F. Clevenger, 62-year-old father of the slain five-foot-one New York University student, rubbed his pale cheek blankly with his hand as Foreman John S. Hersey read the verdict in the hot, packed courtroom.

A slender, yellow sister of the defendant, garbed in blue, broke into tears, but if the verdict stunned Moore he failed to show it. As throughout the trial, he maintained an appearance of apathy.

Ordered to his feet for the verdict he slowly raised his lank figure from his chair and, balancing himself with one hand on a chair in front of him, his head drooping slightly.

The jury was out almost an hour, although one member said only one ballot was necessary to decide the case.

The defense filed notice of an appeal to the state supreme court after Judge Phillips denied a motion that the verdict be set aside.

The jury decided with the contention of Solicitor Zeb V. Nettles and prosecuting officers that the confession was valid, and conformed to facts known about the crime prior to Moore's arrest. It turned aside the defense contention that the 22-year-old Negro confessed only after being subjected to beatings with a rubber hose in his cell.

Asheville Negro Produces Alibi; Says Confession Forced From Him

Moore claimed he was beaten for 20 minutes immediately after his arrest, and that later told him his fin- about the crime, "that New York tallied exactly with what I told Moore's arrest. Banks Taylor, negro but Ianitry boy, tipped officers that Moore owned a gun similar to the one they believed had done the killing.

ASHEVILLE, N. C., Aug. 21.—(AP) Martin Moore, 22-year-old hallboy, was tortured into confessing today he killed Helen Clevenger in her Battery Park hotel room July 16 and produced witnesses to support his claim he was a birthday party at the time.

The negro insisted throughout his examination on the witness stand that a fat man from New York with a piece of rubber hose forced statement he battered the blonde's face with a bullet through her chest there until 2 a. m. July 16. failed to halt screams when he entered her room.

As for his bloodstained gun on which expert witnesses testified they found

Moore said questioners kept him up all night the night of his arrest, alowing him only a cup of coffee as to confess, except to promise that if the negro told the truth, the judge would Denying that he told Bishop W. N. Ainsworth of the Methodist church he committed the crime, Moore said the bishop didn't ask him if liquor was responsible. "I told him I didn't drink much liquor and didn't kill anybody," Moore claimed. Under cross-examination Moore admitted he had repeated his confession Roddy, a slender, yellow negro, accused by Moore of having the pistol to Dr. Mark Griffin, county alienist, thought "Sheriff Brown the night of the tragedy, took the witness after the witness denied it. He denied to Moore about

The gun, found at Moore's home days after the crime, was identified definitely by experts on the stand as the death weapon.

"I'll ask you if you didn't showdefense rested and denied officers just how you took the buttmied he had ever talked to

Martin Moore Convicted Of Killing Girl in Hotel

AS UNFAIR TRIAL IS ON

N. C. Prisoner Says He Was Beaten To Get Confession

BY SPECIAL STAFF WRITER

ASHEVILLE, N. C.—(SNS)—Be-

MARTIN MOORE

ontside, the defense argued the legality of the seizure of the pistol used to kill the girl.

Sheriff Identifies Pistol.

Phillips ruled that since Moore had volunteered location of the gun its seizure was not illegal.

Sheriff Brown then identified the pistol for the jury. He said the gun and the cartridge were turned over to Deputy Frank Messer, who carried them to New York for examination.

After Indorf and Hirsch testified, Messer was recalled to testify he carried the pistol and shells to Sergeant Harry Butts, New York police ballistic expert.

Dr. Ben M. Vance, assistant medical examiner of New York, then told of examining the same gun. He said he found four small "fibers" on the gun.

"Three of them were lint or cotton," he said. "The other was finer and under chemical treatment proved to be human hair.

"In my opinion it came from the face or scalp," Vance testified. "I think it came from a person with light colored hair."

The state then called Harrysided Schwartz, first assistant to the medical officer of New York. He examined the pistol and that chemical tests of scrapings from the gun "were all human blood."

Prosecutor Nettles then called B. Pittman, state banking examiner, of Raleigh, who occupied Room 220, just across the hall from Miss Clevenger the night she was slain, to testify.

Pittman said he heard four or five screams about 1 a. m. the morning the youthful co-ed was killed. He stepped into the hall to learn of their origin.

"I saw a figure standing in the doorway of Room 224," Pittman told the jury. "I asked him what the trouble was. A man's voice said, 'I was wondering that myself.'"

Explaining that he was beaten, Moore said one officer hit him in the stomach with his fist and then struck him with a four-foot hose.

Dr. B. E. Morgan, Asheville medical specialist, said he examined Moore and found three bruises on the left arm.

Dr. Morgan said he could not tell what caused the bruises.

Pittman was not cross-examined.

The trial adjourned after the state sent Miss H. E. Johnson, Spartanburg, S. C., assistant housekeeper of the hotel, to testify. She said she occupied Room 126 the night of the murder and that she heard a woman scream between the hour of 12 midnight and 1 a. m.

Nettles said he had another witness he wanted to put on the stand but couldn't do so until tomorrow. He revealed the witness was J. F. Clevenger, of New York, father of the slain girl, who fainted in the courtroom today.

The courtroom was packed again today.

BAN 'FORCE' CONFESSION

Asheville Negro Produces Alibi; Says Confession Forced From Him

ASHEVILLE, N. C., Aug. 21.—(AP)—Martin Moore, 22-year-old hallboy, swore today he was tortured into confessing he killed Helen Clevenger in her Battery Park hotel room July 16 and produced witnesses to support his claim he was at a birthday party at the time.

The negro insisted throughout his examination on the witness stand "a fat man from New York with a piece of rubber hose" forced his original statement how battered the little blonde's face with the butt of his pistol after a bullet through her chest failed to halt screams when he entered her room.

As for his bloodstained gun on which expert witnesses testified they found hair similar to Helen's, Moore claimed he had lent it the fatal night to L. D. Roddy, a fellow employe.

The gun, found at Moore's home 24 days after the crime, was identified definitely by experts on the stand as the death weapon.

Moore claimed he was beaten for 20 minutes immediately after his arrest, and that later "that New York man, the fat man," told him his fingerprints had been found on a lampshade.

"He said if I didn't own up to it he'd whip me to death," Moore declared.

Moore said questioners kept him up all night the night of his arrest, allowing him only a cup of coffee as food.

Fannie Gilliam, 25-year-old negress, swore she had a birthday party the night of July 15 and that Moore was there until 2 a. m. July 16. She was corroborated by Gene Williams and his wife, both of whom admitted, under cross-examination, to police records.

Under cross-examination Moore admitted he had repeated his confession to Dr. Mark Griffin, county alienist, but claimed he thought "Sheriff Brown had sent him."

"I'll ask you if you didn't show officers just how you took the butt of this pistol and beat Miss Clevenger in the face while she was screaming on her knees?"

"Yes sah. That's what I told them," the big negro replied, "but I was scared."

Pointing out that his confession tallied exactly with known facts about the crime, Solicitor Nettles asked:

"Well then, where did you get this story about the confession?"

"Sheriff (Laurence E.) Brown told me to tell it."

Brown, testifying yesterday in the absence of the jury, said he made Moore no inducement to confess, except to promise that if the negro told the truth, the judge would be notified.

Denying that he told Bishop W. N. Ainsworth of the Methodist church he committed the crime, Moore said the bishop didn't ask him anything but if liquor was responsible.

"I told him I didn't drink much liquor and didn't kill anybody," Moore claimed.

Roddy, a slender, yellow negro, accused by Moore of having the pistol the night of the tragedy, took the stand as a rebuttal witness after the defense rested and denied it. He denied he had ever talked to Moore about the weapon, and also that Moore was mistreated in jail. Roddy was detained as a material witness at the time of Moore's arrest. Banks Taylor, negro pantry boy, tipped officers that Moore owned a gun similar to the one they believed had done the killing.

Other state rebuttal witnesses included Albert Jordan, head bellman at the fashionable resort hotel, who said he took Roddy home about an hour before the tragedy, and Charlie Wiggins, elevator boy who said he accompanied them. Laura Rhodes, negro woman with whom Roddy lived,, testified he arrived home before 1 a. m.

ASHEVILLE, N. C., Aug. 22 (AP)—Martin Moore, gaunt black man, of slaying little blonde Helen Clevenger with a pistol although one member said only one Battery Park Hotel room here ballot was necessary to decide the case.

The defense filed notice of an appeal to the state supreme court after Judge Phillips denied a motion that Martin Moore is being tried for the murder of Helen Clevenger, which was committed on the night of July 16 in an Asheville, N. C. hotel while a storm was raging. Before the arrest of Martin Moore several other persons, all white, were held and questioned, but released. Moore was the last to be arrested, said to be on a tip given by a fellow employe, W. L. Roddy, at whose home the gun used to kill the girl was found by Sheriff Brown.

Joseph F. Clevenger, father of the slain five-foot-three former New York university student, rubbed his head with his hand as he read the old Negro confessed only after being subjected to beatings with a rubber hose in his cell.

Foreman John S. Hersey read the verdict in the hot, packed courtroom. A slender, yellow sister of the defendant, garbed in blue, broke into tears, but failed to show it. As the verdict was read stunned throughout the trial, he maintained an appearance of apathy. He slowly raised his lank figure from his chair and, balancing himself

Killings-1936
6

Oklahoma

Six Negro Murderers Uncaught: Why?

Chief John Watt is reported in the daily papers as having sent out a bulletin to crime bureaus over the nation asking assistance in the apprehension of a half dozen murderers, all of whom are Negroes, and who slew Negroes.

Black Dispatch

While we applaud the effort of Chief Watt to bring to justice these brutal murderers, we feel that if certain things were done with reference to the apprehension of crime right here in Oklahoma City greater results could be obtained.

4-18-36

Think of it! We call to mind off hand, Herb Parker, Henry King, Thad Mitchell, Clarence Nunley and another man whose name was Charley Carney. Every one of these murderers remain uncaught. But do you, gentle reader, believe that six Negroes in recent months could have killed as many white people and remain uncaught in Oklahoma City?

Oklahoma City, Okla.

Oklahoma City has fiive Negro officers, every one of whom we believe is above the average in intelligence and ability to do his task. But is the City of Oklahoma City providing these fine officers with all of the modern methods for the detection and arrest of the criminal minded? If Oklahoma City is not doing this then Oklahoma City is guilty of two things: failure to observe the most approved method of capturing criminals, and failure to give Negro officers the best methods by which they may protect themselves.

The radio is the latest and most modern arm of the law in the detection and apprehension of crime. Every first class city in America, including Oklahoma City, provides its police department with radio and scout cars, and in order to offer the fullest protection to such scout car officers, two policemen are placed in each car.

There is no excuse or justification for police officers to walk or ride in pairs except for the common sense obvious to all. It works both ways. Two officers can aprpehend a criminal easier than one and a pair of officers can protect themselves easier than one lone individual officer can do.

Time out of number, we have personal information that Negro officers have actually furnished the information as to the whereabouts of a Negro criminal. The white newspapers come out with a story saying the arrest was made by some white officer. This comes about in this wise: when the Negro officer locates a criminal he is alone and rather than to take chance of escape, and in order to have more protection he calls for white officers. This is what he should do under the circumstances, but when all of the facts have run through the police court mill, or let us say the newspapers, white officers are given credit for the arrest.

In this issue we are publishing the story of a Negro officer who located a Negro who had hi-jacked a white groceryman, and who then phoned for white officers. Few who read the story realize until we tell it that this Negro had to walk alone at least three miles from his beat to locate this criminal. Why should this brave young officer have to walk while white officers of the same rank ride in Oklahoma City, and why should he have to take a greater risk than do white officers who walk and ride in pairs?

Chief Hoop, of the Tulsa police, and the police of half a dozen southern cities recently wrote letters to the Negro Chamber of Commerce in Dallas saying that Negro officers are invaluable and indispensible. Chief Hoop said he had discovered that Negro officers could ferret out crime down in the Negro section where white officers signally failed. All who are willing to acknowledge to the truth know that this is correct.

We are penning what we say this week because we do not want those who read the recent statement in the daily papers regarding a half dozen unapprehended Negro murderers to assume that such a situation results from inactive Negro police. We offer this challenge now: Give Negro officers a plainclothes man or two; scout cars in addition to their regular patrolmen, and the city will get in return untold dividends in real law enforcement and crime abatement.

All-White Jury Asks Death Chair

Black

N.A.A.C.P. To Attack Verdict in Bartlesville Homicide

BARTLESVILLE, Okla., May 14.—An all-white jury of twelve men sentenced Robert Hollands, Negro, to the electric chair today. Hollands was charged with having murdered a white man. The jury was out 12 hours.

5-18-36

The white man, a night watchman, without warrant for Hollands' arrest, and without a search warrent, went to the home of a Negro woman and made forcible entry. It was charged by the defense that the woman he brought with him was the paramour of Hollands and was also carrying on a clandestine affair with the night watchman.

Hollands was supposed to have had in his possession property which belonged to his irate sweetheart. In the struggle that followed at the home, the night watchman was killed. Hollands protests that the night watchman sought to slay him without reason and that he did not legally enter the home.

5-16-36

J. R. Charleton, former district judge, and Attorney Cecil E. F. Robertson, representing the Bartlesville Branch of the N.A.A.C.P., made brilliant pleas for the defendant. The case will immediately be appealed.

Attack was made by Hollands upon the all-white jury system in vogue in Washington county.

Killings-1936
6

Pennsylvania

Murder Suspicion Turns to Ofay Lad

30 Men Already Faced Grilling

12-12-36

PHILADELPHIA.—With the arrest of a 15-year-old white boy, police have partially cleaned up the brutal slaying of a 63-year-old white woman and the beating of her crippled daughter, a crime for which more than thirty colored suspects were taken into custody and severely grilled.

The woman, Mrs. Mary Dobbrick, was found with her head crushed in, supposedly by a sash weight, in the kitchen of her home at 510 Clearfield Street, on Sunday, November 15.

Her crippled daughter, Martha, 26, was found in an unconscious condition in another room.

Although police advanced the theory that the motive was a search for $200 believed hidden in the house, they were able to find a shortage of only $8.

Mayor Offered Reward

The superintendant of police, entire Fourth detective division of thirty men, plus sleuths from the homicide squad participated in the ensuing man-hunt.

Mayor S. Davis Wilson offered a reward of an additional week's vacation with pay to the officer or officers who "broke" the case.

Many of the suspects questioned were employed on a construction project in the neighborhood, from which a sash weight was found missing.

One man was arrested at his home when he failed to report to work the morning following the murder.

White Youth Identified

The white youth now in custody is well built, it was learned, and at one time worked as a helper on an ice truck.

He has been identified by the delirious daughter, and is still being held by authorities at the house of detention to be again taken before the young woman for positive identification.

Killings—1936

Tennessee

TWO NEGRO SUSPECTS IN SLAYING ARRESTED

Commercial Appeal

Held in Connection With Robbery-Death of Grocer

4-30-36

Two negro suspects, tentatively identified by the widow of the victim, were held at police headquarters last night in connection with the slaying of Joseph E. Davis, 60, Trezevant Avenue grocer, who was fatally wounded in a holdup at his store Friday night.

The negroes, whose names police refuse to reveal, were arrested yesterday morning on Winchester Pike by deputy sheriffs and were turned over to Capt. Frank Glisson for questioning. Mrs. Davis, still suffering from the shock of her husband's death, said they "looked like the two negroes" she saw enter the store.

Meanwhile, as the police investigation progressed, funeral services for the slain grocer were held at 10:30 o'clock yesterday morning from the Merton Avenue Christian Church by the Rev. Frank Donaldson. Burial was in Memorial Park Cemetery. Thompson Brothers were in charge of arrangements.

Two Negroes Convicted In Death Of Merchant

Advertiser

5-8-36

HUMBOLDT, TENN., May 7.—(AP)—Two negroes, Robert Rounds, 40, and Odell Parker, 35, were convicted here today of slaying Tom Harris, 32-year-old merchant living near Humboldt, who was shot to death five months ago as he investigated an apparent burglary of his store.

Rounds was sentenced to die in the electric chair and Parker was given a life sentence. Rounds, during the trial, repudiated a confession officers said he had made to them.

Somerville, Tenn., Falcon
May 28, 1936

NEGROES TO GET NEW TRIAL HERE

Albert Polk, Tom McGowan and Booker T. Harris, negroes convicted of the slaying of Newfrey Graham and sentenced to death in the electric chair, will get a new trial as a result of the state supreme court's reversal of their circuit court conviction.

The supreme court, in an opinion read at Jackson Saturday by Special Justice Davis, reversed the circuit court conviction and remanded the case for a new trial. The trio probably will be tried again at the July court term.

The supreme court found, the opinion stated, that the committing justice of the peace did not advise the prisoners of their right to counsel, did not warn them that their statements would be used against them and took no steps to protect their rights.

The confessions made before the committing magistrate were admitted in evidence in the circuit court trial in April, 1935. The supreme court ruled that confessions made under such conditions were inadmissible and prejudicial.

Arguments in the case were heard by the supreme court at the spring session at Jackson in April. F. B. Moorman, J. D. Mosby and W. M. Mayo, appointed as counsel by the court, represented the defendants.

Graham was shot through the head and fatally wounded near his home east of Somerville on Dec. 25, 1934. Robbery is alleged to have been the motive.

REDUCE OUR HOMICIDE RECORD

Globe

12-4-36

Attorney General J. Carlton Looser, in speaking before a group of civic leaders this week is credited with the remark that,

"If good men and good women made known to officials that they are watching their every move, that fact will contribute largely to law enforcement in the community."

The remarks made by our chief law enforcement officer should be given due consideration by colored citizens of Nashville who seriously desire strict law enforcement to be one of the finest virtues of Nashville and Davidson county.

First on program, in the opinion of many colored citizens of this city is a way to reduce the awful homicide record being made by members of the colored race. That record, almost wholly results from colored men and women killing members of their own race. The very, very low record of members of the colored race taking the lives of members of the white race is one which is quite commendable and deserves to be matched by a similar record of "no killings of colored men and women by other colored men and women."

Nashville Tennessean

It will take more than preaching and teaching upon the part of colored leaders to reduce the race's unsavory homicide record. The primary need is for our officials to be severe to the full extent of justice in the punishment of all killers, regardless of whom they kill.

There should be no more leniency granted a person who murders a member of his own race than when he murders a member of another race. The murderer should be punished as an enemy of society, without thought of who he is or whom he murders. No consideration should be given a murderer because of the fact he is or was a good servant and can get some reputable white person to bear witness to that fact.

Our court officials should cease acting as though they believed that being lenient with a person who murders a member of the colored race would encourage him and his kind to always murder only colored men and women. There is no guarantee that this is true.

Equal justice to all and special privilege to none is a rule which can be followed in the handling of all criminals with results which will relieve Nashville of the stigma of being one of the worst cities in the nation from the standpoint of murders committed by colored men with members of their race as the victims.

The attorney general and his staff, we are aware, have the same opinion in this matter as is expressed here. They deserve the wholehearted support of juries, and in addition, those persons with the power to pardon and parole offenders should cooperate in this important matter. The certainty of punishment for crime together with a certainty that the criminal will serve the sentence given him should commend themselves to every officer and every citizen who sincerely desires Nashville to have a record as free as possible from crimes of every sort and especially the awful crime of wholesale murder.

Chattanooga, Tenn. Times
December 15, 1936

LONG TO GET HEARING IN SLAYING OF NEGRO

R. L. ("Bob") Long, 28, of 207 Old Mountain road, will be arraigned in city court Dec. 17 on a charge of murdering "Shine" Conley, about 26, colored, in the driveway of the Jolley Motor service, late Sunday night.

He was being held without bond in the city jail yesterday when City Judge Martin Fleming set the date for the hearing.

Homicide Officer Everett E. Smith said that Long, night manager of the garage, shot Conley through the head when the Negro attempted to keep the garage manager from shooting Warren Keaton, also colored, of 531 West Twenty-third street.

Conley was also employed at the garage, Smith said.

Killings-1936

Tennessee

Nothing Strange About It

There is nothing strange about the verdict at Water Valley by a Yalobusha County jury in which a white man was found guilty for the brutal murder of an innocent negro. Nor is there anything strange about Judge Kuykendall's sentencing the prisoner to be hanged.

On the contrary, it would have been very, very strange if the jury had not found such a verdict.

The proof showed that the man and a white accomplice went to the home of the negro for the purpose of robbery. After terrorizing him and beating him into unconsciousness, they poured kerosene over his head and set it on fire. The accomplice escaped a richly deserved hanging by pleading guilty and taking a life sentence.

There is no such thing as caste when it comes to brutality and fiendishness. The Yalobusha County jury is to be congratulated upon its recognition of this truth.

TWO KILLED IN MEMPHIS

Crime Noticeable On Beale Street On Last Week-end

MEMPHIS, Tenn.—(SNS)—The Beale Street maelstrom of violence broke loose last week with two women counted as murder victims. They were Virginia Thomas, 27, of 1452 Britton Street, and Linda Mosely, 27, alias Dira, 293 South Fourth Street.

Mrs. Mosely was shot in the head with a .38 caliber revolver by Barnetta Williams, in the vicinity of 293 South Fourth. According to police officers, both parties had been engaged in a drunken brawl over a man, known as "Doc Red." The slayer, popularly called "Kitten," is described to be a blonde No arrest had been made at this writing.

The Thomas woman was stab bed to death by Helen Trice, alias Matthews, alias Barton, who lived in the rear of 206 Hernando Street.

FOUR NEGROES MURDERED FROM SATURDAY THROUGH MONDAY OF THIS WEEK

The various ministerial alliances during the week have had before them the topic of the crime wave among the colored people.

According to figures recently issued by the government, more Negroes are murdered per thousand in Nashville than any city in the nation.

The rate of murder in Nashville this year to date would exceed that of last year by one and one-half times.

From Saturday night through Monday we have two men murdered and two women who were killed by their husbands. Added to this unwholesome record is still another fact: namely, in one or more cases children were eye witnesses to the slaughter.

The cartoon reprinted on another section of this page asked the question, "Which Way Do You Spend Your Leisure?" The ministers of the various churches report that the elements creating the wave of crime are not identified with a church organization, and express the hope that many of the boys whom the church fails to reach might be brought under the supervision of the Y. M. C. A.

Killings - 1936

Texas

◄ EDITORIALLY SPEAKING ►

By J. ALSTON ATKINS, Editor

LURLEAN ERVIN—A SYMBOL—

One of the reasons why we are indifferent as Negroes to problems which affect other Negroes is that, deep down in our hearts of relative security for the moment, we have a thought that the misfortunes of other Negroes cannot happen to us. Somehow we think that we are different or better or immune from things that we see happening to other Negroes on account of their race.

But the thing which seems to be security to us is only a delusion. The Lurlean Ervin case in Dallas is a good example. Here is an 18-year-old Negro girl who, like thousands of other Negro girls, finds that in spite of her high school diploma and other training she has to get a job to make a living. In the course of her employment and without any fault of hers she claims that she was abused and attacked by a white man while she was peeling potatoes for her employer. In an effort to defend and protect herself Miss Ervin says that she used the small potato knife on her assailant. Several days later he died.

I do not attempt to try this case in these columns; but I know that the essential outlines of this picture have happened to many a Negro girl and can happen to any other Negro girl who has to work to live. But let us carry the story further.

Miss Ervin has been indicted upon a first degree murder charge by a grand jury upon which no Negroes were admitted; and her attorneys intend to raise the constitutional exclusion of all Negroes from grand jury service in Dallas County. Obviously this question affects every Negro, but it is amazing how indifferent we appear at times to racial issues like the Lurlean Ervin case.

While it may be true that Lurlean Ervin's life and fortunes alone are subject to forfeiture in this particular case; yet in a truer sense she is a symbol of the entire Negro race. For Negro girls and women everywhere stand in the shadows of similar dangers. No Negro's sister, mother, or sweetheart is entirely free from this threat. Therefore, every Negro, regardless of his present station or circumstances and whether he knows Lurlean Ervin personally or not, must be interested in helping to see to it that she has the same protection and opportunity to present her defense that any other woman of any other race would have in a similar situation.

Killings-1936

Virginia
6

Woman Kills Sister Rival In Love Affair

Slaying Ends Week Of Violences In Suffolk Area

Special To Journal and Guide

SUFFOLK, Va.—Rivals for the attention of a mutual suitor, Miss Beatrice Branch was fatally shot by her sister, Miss Lucy Branch, following a jealous dispute over Walter Tynes last week.

The slaying climaxed a week of violence in Suffolk suburbs, according to police reports.

Miss Branch died in Lakeview Hospital, Sunday, two hours after the shooting, from the effects of a bullet wound through the abdomen.

Her sister was captured shortly before her death, by police, who had scoured the marshy section bordering on the Nansemond River. She was lodged in the county jail without bond. The arrest was made by Sheriff Frank Culpepper and Deputy O. C. Bradshaw.

Neighbors clam that Tynes was visiting Miss Lucy Branch, when he became enamoured with the sister, Beatrice. Angered at her sister over her thwarted romance, Miss Lucy Branch, followng a dispute over Tynes, is said to have drawn a pistol and fired three times at her rival, mortally wounding her. All three slugs entered her abdomen.

The second homicide of the week in Suffolk, Douglas Turner, was fatally shot by E. McAdams, during a heated dispute in Spurgeon Parker's store in Saratoga Place, police reports revealed.

McAdams was the object of a wide police search after he had escaped.

Turner, who died at Lakeview Hospital, was found to have sustained bullet wounds in the chest and abdomen.

Police learned that McAdams had quarreled with his wife a few minutes before he walked into the store. When Turner made a side remark about the argument, McAdams, witnesses say, whipped out a pistol and fired twice. The wound in his chest, which is believed to have penetrated his heart, resulted in his death, doctors said.

Sought in the serious stabbing Monday, March 9, of Jacke Philhower, white filling station operator, three Negroes were still eluding arrest Wednesday. The stabbing occurred on the Norfolk highway. Police had obtained a description of the trio.

Philhower was admitted to Lakeview Hospital seriously wounded. He claimed that the attack was made after he had resisted efforts of the three men to rob him. He was unable to tell how much had been taken.

Orange, Va., Review
May 21, 1936

TRAGEDY IN ORANGE

The slaying of Sheriff William B. Young of Orange County, while in the performance of his duty was attended by sensational circumstances which have shocked the residents of the Gordonsville area. A demented Negro upon whom the sheriff was attempting to serve a warrant issued by a lunacy commission resisted arrest and in the ensuing battle the sheriff was shot through the heart and five officers and members of the sheriff's posse were wounded, one seriously, before the crazed Negro and his sister, who abetted him in resisting the officers, were shot and killed, bringing the hostilities to a close.

The suspicious actions of the Negro, who seems to have been brooding for several years over condemnation proceedings which took part of his land for cemetery purposes, led to the decision on the part of county authorities to hale him before a lunacy commission and it was the man's defiance of the sheriff, when the latter went to serve the warrant, that brought on something closely resembling a pitched battle, that ended only after the sheriff and both Negroes had been killed and five officers wounded.

The actions of a surly, morose Negro, his heart filled with hate over an imaginary injustice, cannot rightly or fairly be held against other members of his race and we have no fear that race relations in Orange County will be marred by what occurred near Gordonsville Friday.

The death of an officer who showed himself to be a brave man, sacrificing his life in the performance of duty, is to be mourned by all who admire fearless gallantry in those entrusted with law enforcement. Sheriff Young died in the line of duty just as surely as any soldier of the World War who fell in action overseas and we have no doubt that the people of Orange County in due time will his valor.—Roanoke Times

RICHMOND, VA.
TIMES DISPATCH

MAY 17 1936

Dealing With Lunatics

ONE of the most spectacular tragedies in the recent history of the State was enacted Friday night in Orange County, near Gordonsville. The central figure in this unusual drama was a crazed Negro, whom officers attempted to arrest. Barricaded in his home, which proved to be a veritable arsenal, the man and his sister resisted with gunfire all efforts to take them in custody. When the blazing curtain had been rung down on the drama, the two Negroes were dead, as was SHERIFF YOUNG, who was shot as he attempted to enter the house, and five other persons, including two State troopers, were wounded.

Reports are that the Negro had been known for some time to be mentally irresponsible. If he had been taken into custody and committed to a lunatic asylum on the first evidence of insanity, this tragedy could have been averted. It is not our intention to criticize the officials or the citizens of Orange County for inaction in the matter; their apparent unconcern toward the case is characteristic of the public attitude throughout Virginia. Commitments for lunacy are seldom made until the insane persons either become violent or so conduct themselves as to be nuisances in their respective communities.

This Orange County tragedy, however, should serve as an object lesson to all citizens, physicians, and peace officers in Virginia. Any insane person may become suddenly violent and run amuck. The time to deal with a lunatic is when he first shows signs of lunacy. After he becomes stark mad, it may be too late to avert murder, arson or some other crime.

While the Central State Hospital for Negroes at Petersburg is crowded, and has been for some years, facilities of a sort are at hand to care for persons who are committed to the institution. After July 1, when an appropriation of over $200,000 by the last General Assembly becomes available for the erection of a new building, DR. HUGH C. HENRY, the superintendent, will be in a much better position for receiving those unfortunate men and women who have lost their minds. This was one of the few really constructive pieces of legislation at the 1936 session.

Tragedies as that in Orange County can be averted if officials, physicians and citizens as a whole are on the alert. Virginians in the past have viewed this matter with far too much unconcern.

Jury Reverses Practice In All Negro Murders

A jury in Corporation Court No. 1 Monday reversed the practice of giving insignificant sentences in murder cases where only Negroes are involved.

Stanley Edward George, 43-year-old longshoreman, who resorted to a self-defense plea to justify his slaying of Horace Boone of the 400 block of Brewer Street on the afternoon of July 24 at Church and Charlotte Streets, was sentenced to life imprisonment in the state penitentiary on the jury's recommendation. Sentence was passed by Judge R. B. Spindle, Jr. after overruling a defense motion for a new trial.

W. H. Starkey, defense counsel, noted exceptions to the court's ruling as a basis for an appeal. Assistant Commonwealth's Attorney James E. Heath, Jr. prosecuted the case.

Particularly damaging against George was the testimony of Patrolman J. F. Harmann and Walter H. Mehard. Officer Hehard testified that he witnessed the firing of the last bullet which claimed Boone's life.

According to his testimony he and Officer Harmann, operating a police radio car, had been making an investigation on the second floor of a nearby building, and were on the verge of leaving when they heard two shots in quick succession.

Hurrying to the street, Officer Mehard testified, he was in time to see George, standing in the center of the intersection of Church and Charlotte Streets, fire a third shot into the body of Boone who was already staggering from the effects of the two other shots.

He drew his own revolver and ordered George to drop his gun, which he did, the officer testified. Officer Harmann took Boone to the hospital in the radio car while he stood guard over George until the arrival of a patrol wagon, he told the court.

Dr. C. D. J. Macdonald, city coroner, explained the cause of George's death as being due to a hemorrhage subsequent to a pistol shot wound, and held that George was responsible for the shooting.

Detective Leon Nowitzky, coroner's investigator, testified as to a statement made by George following his arrest in which he attributed the slaying to an argument over a woman.

Taking the stand in his own defense, George testified that when he entered a shop on Charlotte Street near Church, operated by Boone, the latter started walking toward him with his hand in his shirt.

"I thought he was going to shoot me," he told the jury. "I grabbed my pistol from a shelf and shot him once. I don't remember what happened after that," he testified.

Commonwealth witnesses testified that George followed Boone out on the street, where Boon fell, and then walked over and shot him two times in the back as he lay on the street.